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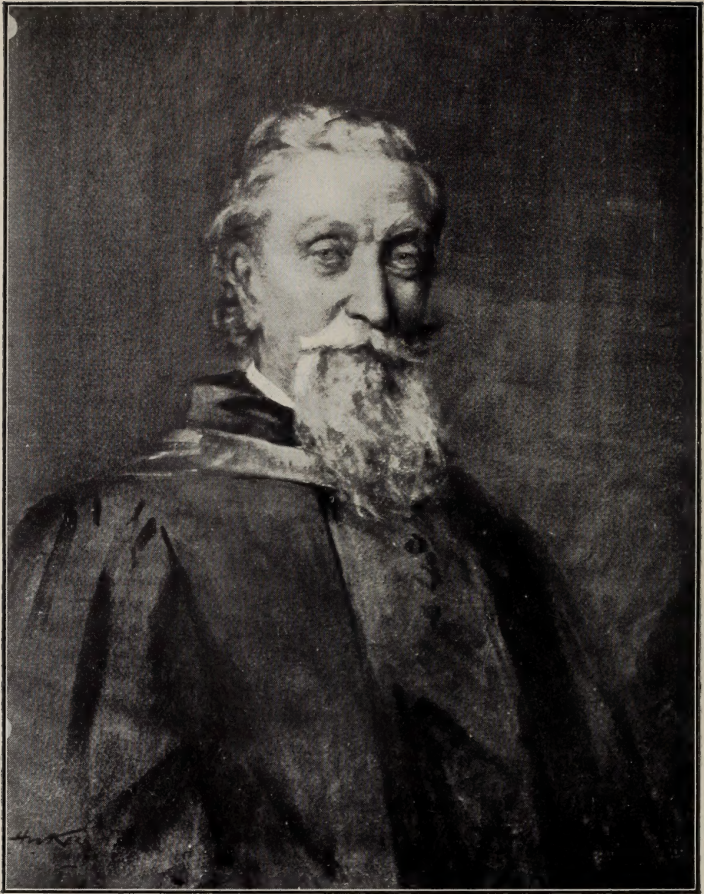








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# HAUNTED DUNDEE.

BY

A. H. MILLAR, LL.D.,

City Librarian, Dundee.



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## INTRODUCTION.

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IN every large town there are spots that have been made memorable by some incidents, some important event which had an influence upon local or national history, the birth-place of a hero, the humble weaver's shop, perchance, which afterwards developed into a colossal weaving factory. Such places have always an attraction, for the human mind looks back upon small beginnings that have produced unexpected results. There are also streets and houses in every city and village that have become notorious as the scenes of appalling crimes that have thrilled the hearts of those who heard of them long ago. All these places may be regarded as haunted by the memories of the past, whether they be pleasant or terrible.

The following pages treat of many events in the history of Dundee which are memorable, such as the burning of the Churches in 1841 ; the martyrdom of Grissel Jaffray in 1669 ; the wreck of the " Forfarshire " in 1838 ; and the Tay Bridge Disaster in 1879. Care has been taken to supply authentic accounts of all the incidents included in this volume ; and in some cases—such as the trial of " The Wife o' Denside "—documents are given which have hitherto been unknown or neglected. The title *Haunted Dundee* may have led some readers to expect only ghost stories—though the account of the Ghosts of Claypotts Castle deals with this branch of the subject—but the purpose of the author was rather to treat of



## INTRODUCTION.

haunting memories than of visitants from the other world. It was in the spirit of Andrew Lang's familiar poem on St. Andrews that the book was conceived :—

*St. Andrews by the Northern Sea,  
That is a haunted town to me.*

It is hoped that as the recorded facts in this volume have been carefully verified, it may long be referred to as an account of actual events, the particulars of which could not readily be ascertained without long and arduous research.

A. H. MILLAR.





The Dundee Churches before the Fire in 1841.

# HAUNTED DUNDEE

## I.

### GREAT CONFLAGRATION IN DUNDEE.

#### THE BURNING OF THE CHURCHES.

**T**HE Tower of St. Mary, better known as "The Auld Steeple," is the most familiar landmark in Dundee. It is the oldest building in the city, and has witnessed more civic changes and survived more municipal disasters than any other structure within the boundaries.

There is an absurd tradition regarding its age, which originated in the days before historical research had become a science, and which still persists in some quarters in defiance of evidence. It has been stated and reiterated that this Tower formed part of the Church of St. Mary which David, Earl of Huntingdon, founded at Dundee about 1199 in gratitude for his preservation from shipwreck. Any one acquainted with the history and development of architecture in Scotland knows that the Perpendicular Style which prevails in this structure was not introduced in this country until the fifteenth century; and only by a miracle could the valiant Earl of Huntingdon have anticipated this style of architecture by three centuries.

In the olden time, when a church had to be built, it was the custom to begin with the Choir, or east end of the building, where the High Altar was placed, and then to proceed gradually towards the west, the separate portions being used while the work was in progress. Thus, in a cruciform (cross-shaped) church the order followed was, first the Choir, then the Transepts (forming the two arms of the cross), and then the Nave, in which the western door was placed.

Evidently the Old Steeple of Dundee would be the last part of the Church to be erected; and as it was no uncommon thing in those leisurely days for an extensive building to



take centuries for its completion, a very considerable period might elapse between the laying of the foundation-stone of the east gable and the placing of the cope-stone on the western tower. The Cathedral of Glasgow, for instance, was begun towards the close of the twelfth century, and was not completed till the middle of the fifteenth century.

Supposing that Earl David founded the Church of St. Mary in 1199, the building would probably proceed simultaneously with that of Glasgow; and one might expect that it would be finished about the same time. This theory is confirmed by documentary evidence. In the Burgh Court Books of Dundee for 1450-80 the statement is frequently made that fines imposed for offences were to be given to the "Kirk wark," that is, to the building of the Church of St. Mary. This plainly shows why the architecture of the Old Steeple is in the Perpendicular Style, which was prevalent in Scotland at that period.

As a rough-and-ready way of remembering the date of the Old Steeple, it may be said that the Tower was completed about the time that Christopher Columbus discovered America.

There is no evidence extant to show what the first Church of St. Mary was like; but that it was an extensive building is proved by the fact that about the year 1500 there were no fewer than 42 Altars and Altarages within the Church. The only old part of the Church now in existence is the "Steeple," as the Tower is somewhat incorrectly called. It is probable that when Dundee was captured by the English under Hertford in 1547 the Choir of the Church of St. Mary was destroyed by fire; and the Reformers a few years afterwards may have completed the work of destruction in the interior, though no distinct proof of this vandalism has been found.

One curious fact is recorded. The Town Council took possession of the ecclesiastical vestments, and decreed that some of the finest robes should be worn by the Bailies! As the Protestants did not require such large buildings as that of Dundee for their simple ritual, it became usual to set apart different portions of the structure for separate congregations. Thus Glasgow Cathedral was used by two congregations, the one using the choir under the name of "the Hie Kirk," and the other occupying the Crypt (or lower church), which was curiously named "the Laigh Hie Kirk."

In Dundee the Reformers were even more economical. There were four congregations worshipping respectively in the Choir, the North Transept, the South Transept, and the Nave; and this arrangement continued almost without interruption until about 1830, when one of the congregations was accommodated elsewhere. It was this fact which led Thomas Hood, the poet, to write, in 1813, about the Dundee Churches in this strain:—

Four Churches together, and only one steeple,  
Is an emblem quite apt of the thrift of the people.

In the time of Cromwell the Churches suffered severely, the Nave (known as the Steeple Kirk) being destroyed by fire, either accidental or wilful, in revenge for the resistance of the defenders of the burgh. It was not till 1788 that the present Steeple Kirk was erected; and it and the Old Steeple alone survived the disaster which is now to be related.

About five o'clock in the morning of Sunday, 3rd January, 1841, it was found that fire had broken out in the South Church, near the passage betwixt it and the Steeple Church. An alarm was raised, but the flames spread with such rapidity that the three Churches—the East, the North, and the South—were speedily involved in a gigantic conflagration.

At that time the stoves for heating the Churches were under the charge of David Tainsh, mason. On Saturday night he had trimmed the fires, and returned at one o'clock on Sunday morning to attend to them. He was back and forward several times to see that the fires were in order. Shortly before five o'clock he replenished the stove of the South Church, and then went to attend to the other three stoves.

When passing out by the South Church door he saw the reflection of fire on the roof, and turning the light of his lantern within the place he noticed volumes of smoke proceeding from the Vestries, which were immediately over the South Church stove. He rushed out for assistance, and several policemen were soon on the scene; but the apparatus for extinguishing fires in those days was of the most primitive description, and little could be done to arrest the progress of the conflagration. The Fire Brigade was turned out, the military from Dudhope Barracks rendered assistance, and the bells of the burgh rang out with vehemence to alarm

the inhabitants, who crowded to the place on this historic occasion.

James Thomson, the historian of Dundee, who was present, wrote a vivid description of the scene, which was published in 1842 by James Chalmers, Castle Street, the inventor of the adhesive postage stamp. The following quotation gives some idea of the incident:—

“On nearing the spot, it became too apparent that the time-honoured structures which had been dear to our citizens by so many associations of the olden time, and in which their ancestors have observed the sacred ordinances of religion, were inevitably doomed to destruction. The appearance of the fire from a distance, shortly after it broke out, was grand in the extreme—the bright, lurid glare of the flames, which rose high in the air, incessantly changing their troubled form, rendered the prospect truly frightful, and proved that the work of devastation was on no ordinary scale.

“Nothing could equal the frightful fury of the devouring element—it ran with the speed of lightning along the base, the galleries, and the rafters of the Church; at one moment a brilliant white line of light shot through the apex of the roof, and a minute or two afterwards crash went the mass into the body of the building, increasing tenfold the raging violence of the fire. Meanwhile, from the back part of the Church, the overwhelming volume of the fire seemed to gather a still fiercer energy, and moved towards the front shrouded in dense clouds of smoke, through which the livid flames shone in gloomy and portentous splendour.”

It was at first thought that it would be possible to confine the fire to the South Church, where it had originated; but tokens were soon visible that the flames had caught the East Church, and within a brief time the whole three Churches, from base to pinnacle, were enveloped in one mass of fire. About half-past six the conflagration was at its height, and presented a sublime and impressive spectacle:—

“The crashing of the galleries as they yielded successively to the flames—the fall of ponderous roofs, which shot volumes of fire into the air, accompanied



by dense clouds of embers—the sharp reports from the stones as they burst from the walls and pillars resembling the discharge of artillery—and the frequent explosions which proceeded from the base of the buildings, combined to create impressions of the most powerful and extraordinary character.”

Efforts were made to prevent the fire from reaching the West Church and involving the Old Steeple in the disaster. The only communication was by a strong oaken door which led from the one Church to the other; and by keeping this door saturated with water the progress of the fire westwards was effectually stayed.

“While all this was progressing below, the ancient Tower, which rises to a height of 156 feet, attached to the Steeple Church, the only one not in flames, rose Phoenix-like above the contention, the peal of bells in its interior imparting a mournful grandeur to the spectacle.”

Before the fire was extinguished the three Churches had been reduced to a state of total ruin.

The buildings to the east of the Churches were seen to be in imminent danger. The houses in Tally Street were only separated by a few yards from the east gable of the Church, and were of most inflammable materials. When the fire demolished the beautiful east window the heat on the opposite side of the street was so intense that the inmates of the houses at the south end of Tally Street could scarcely approach within a yard of their windows. At one period the Royal Hotel, situated on the south side of the Nethergate, was considered to be in great peril, and its inmates were all prepared for a speedy removal.

The firemen continued to work throughout Sunday, playing the engines on the smouldering ruins, and a guard with an engine was placed over them. Towards the evening of Monday fire broke out afresh among the rubbish, but it was promptly subdued. Thus terminated this exciting incident in the history of Dundee.

Within a few years the present two churches were erected from designs by Mr Burn, to replace the buildings shown in our illustration. A coloured lithograph showing the Churches in



flames was published shortly after the event, and may be seen in the Lamb Collection in the Albert Institute.

It is worthy of notice that the fire destroyed the Library, which was located in the corner where the South Transept and the East Church were joined. This Library originated in the MSS. which Devorgilla, grand-daughter of David, Earl of Huntingdon, had given to the Franciscan Monastery which she founded at Dundee about 1280. She was the wife of John de Balliol, and foundress of Balliol College, Oxford. When the Monastery was destroyed by the English invaders, the Monks took refuge in St. Mary's Church, carrying their vestments and MSS. with them. In 1442 the Abbey of Lindores, who had charge of this Church, were too poor to repair the damage that had been done to the structure; and the "Kirk-wark," with all the vestments and books, was handed over to the Town Council of Dundee. The Library thus became the first Public Library in Scotland, and continued in a much enlarged state till it was destroyed by fire four centuries afterwards (1841). Six volumes rescued from the conflagration have been placed in Dundee Reference Library for preservation.

## II.

## THE MARTYRDOM OF GRISEL JAFFRAY.

## THE LAST OF THE DUNDEE WITCHES.

TO the present enlightened age there is something peculiarly abhorrent in the idea that men and women should be tortured and martyred either for holding religious opinions different from those of the majority, or for conduct that has been prompted by insanity, hallucination, or eccentricity. The feeling which brought about the martyrdom of St. Stephen, the atrocities perpetrated upon the early Christians, the horrors of the Spanish Inquisition under Torquemada, and the burning of Michael Servetus, with the approval of his old friend, John Calvin, may not yet be altogether extinct; but at least it does not take the violent forms which were once popular.

Much of the persecution of the Reformation period arose from a too literal interpretation of the Bible; and on this plea alone can one excuse the prosecutions for witchcraft which stained the annals of every European country. The single sentence in Scripture, "Thou shalt not suffer a witch to live," is responsible for all the horrible incidents that accompanied the attempt to exterminate witchcraft.

It is recorded that so early as the year 840 a law was enacted in Scotland which made the punishment of witchcraft no less than cutting out of the tongue. At a later date the crime was punished by death, the special form being appointed so that the witch or warlock should be "wirried"—that is, strangled—at the stake, and the body burned to ashes.

One of the most deplorable instances of the infliction of this punishment was that of Lady Janet Douglas, sister of the Earl of Angus, and widow of John, Lord Glamis. After the death of Lord Glamis she had married Archibald Campbell of Skipness, and, for some obscure reason, it was suspected

that she had conspired with her husband, her son, Lord Glamis, a relative, and a priest to bring about the death of James V. by poison or witchcraft, so that the House of Angus might be restored to power.

After a long trial, Lady Glamis was sentenced, on 17th July, 1537, to "be had to the Castle-hill of Edinburgh, and there burnt in ane fire to the dead as ane traitor." This sentence was rigorously carried out, and the unfortunate lady died with the bravery of a true Douglas.

The Reformation, which took place in the reign of Queen Mary, seems to have intensified the ardour for prosecuting witches; for the Protestant Parliament in 1563 passed an Act declaring that both the witches and those who consulted them should be put to death. James VI. was a devout believer in witchcraft, and in 1597 he published his great work on "Daemonologie," which was issued in a second edition in 1603, the year he became King of Great Britain.

There was a perfect outburst of prosecutions for witchcraft during the reign of Charles I., and under the Protectorate; and it is stated that while the Long Parliament sat, from 1640 to 1653, no less than 3000 unhappy persons suffered in England for their supposed concern with witchcraft.

The superstition was not confined to the lower orders, for all ranks, from the King to the poorest subject, from the most learned philosopher to the humblest student, believed firmly in the existence of witchcraft.

It may astonish many readers to learn that it was not until 1735—eleven years before Culloden—that an Act was passed by George II. repealing all the statutes against witchcraft; and perhaps some Dissenters of the present day will hardly credit that in 1743 the Associate Presbytery at Edinburgh (now represented by the United Free Church) formally protested against the repeal of these statutes, declaring that it was "contrary to the express Law of God."

The last execution of a witch in Scotland took place in 1722, in the Parish of Loth, Sutherlandshire; and when that fire was extinguished the horror of witch-burning ceased.

The liveliest time for witch-prosecutions in Scotland was between the Restoration of Charles II. in 1660 and his death in 1685. Dundee did not escape the contagion of superstition. Unfortunately the records of prosecutions for this heinous







The Seagate in the Olden Time.

crime have not been kept as separate documents; and the Rev. Dr. Burr, long Clerk to the Presbytery of Dundee, after a special search, informed the present writer that he could find no account of the witch-prosecutions which certainly took place in 1669. That the Presbytery was then very active in the search for witches is shown by a passage in the Kirk Session records of Auchterhouse, as quoted in the "Annals of an Angus Parish," by the Rev. W. Mason Inglis, M.A., which runs thus:—

"April 27th, 1669.—By the orders of the Presbytery of Dundee, action was ordered to be taken against all guilty of witchcraft. The Magistrates of Dundee were particularly desired to use all diligence for trying them further. They complied with the Presbytery's instructions, and appointed those suspected of witchcraft to be banished, which was done, and the Act put in execution."

But the Dundee Magistrates were not always content merely to banish the offenders. There was one memorable case in which they imposed the extreme penalty of the law, with all the barbarity prescribed by the statutes. This was the martyrdom of Grissel Jaffray in the Seagate of Dundee in November, 1669.

Regarding this event, much doubt has hitherto existed, which was apparently confirmed by the absence of the evidence from the Presbytery records. It has been asserted that the burning of Grissel Jaffray was a myth, a popular delusion which had no foundation of fact. The following account of the history of Grissel Jaffray is based on authentic documents now preserved in the Charter Room of Dundee:—

There was a certain man called James Butchart, a maltman or brewer in Dundee, who was born in 1594, and could trace back his descent to Thomas Butchart, baker, who was made a burgess in 1526, and was probably about seven years old when Flodden Field was lost and won. The leading members of the family were bakers, and James Butchart was the first to take up the trade of brewer. He was made a burgess of Dundee in 1615, and carried on his business with some success. He married Grissel Jaffray, who most likely was an Aberdonian; and they had one son, who was a mariner, and ultimately became a skipper in the foreign trade.

The Butcharts had originally come from France, and some of them retained the French spelling of the name—Bouchard—in the seventeenth century. Little is known regarding the life of James Butchart and Grissel Jaffray, save that they lived in Calendar Close, a little to the west of Seres Wynd (now Long Wynd), the house being at the corner of the Overgate.

Nothing has been discovered as to the origin of Grissel Jaffray's reputation as a witch. Probably she was more acute than her neighbours in "discerning the signs of the times," and could foretell disaster or good luck by the exercise of her judgment. In any case, Butchart and his wife survived the horrors of the Siege of Dundee in 1651, and might have expected to spend their declining years in peace. But the rage for witch-finding which infected the whole country took possession of the three ministers of Dundee—Henry Scrymsour of St. Mary's, John Guthrie of the South Church, and William Rait of the Third Charge, now St. Paul's. These were the leading ministers in the Presbytery of Dundee, and the reputation of Grissel Jaffray as a "wise woman" came before them at an unfortunate time.

The destruction of the Presbytery Records, or, at least, their silence, prevents us from knowing what accusations were brought against this grey-haired old woman. We cannot tell what protracted examinations were made, what means were adopted to extort confessions of witchcraft from her, or what mental and physical torture she had to undergo to force her to accuse her comrades and neighbours. One thing is certain beyond dispute. The ministers declared her to be guilty of witchcraft.

On 11th November, 1669, the Privy Council, having been informed that Grissel Jaffray was then a prisoner in the Tolbooth of Dundee, at the corner of High Street and Overgate, accused of "the horrid crime of witchcraft," an order was issued for her trial. The remit to the ministers and Town Council ordained that "if by her own confession, without any sort of torture or other indirect means used, it shall be found she hath renounced her baptism, entered into paction with the devil, or otherwise that malefices be legally proven against her, that then and no otherwise they cause the sentence of death to be executed upon her."



A careful examination of the Town Council minutes for 1669 has shown that no record exists therein as to the trial and execution of this unfortunate old woman. There is no doubt whatever that she was "wirried at the stake, and her body burned to ashes," for an entry in the minutes refers to the fact. In Maclaren's edition (1874) of Thomson's "History of Dundee" a quotation is made from a copy of this entry, written by Mr. Home, of the Register House, Edinburgh, and now in possession of the Incorporation of Maltmen. The following passage, however, has been transcribed from the minute-book itself, the only change being in the writing of contracted words in full:—

"Dundie, the twentie-third day of November, 1669.

"Anent such as are delated for witchcraft:—The ministers having also reported to the Council that Grissel Jaffray, witch, at her execution, did delate severall persons as being guiltie of witchcraft to them, and therefore desyred that for their exoneration some course myght be taken against those delated. The Counsell, in order therunto, nominated the Provost, the present Baillies, the old Baillies, Deane of Gild, and others to meet with the ministers, and to commune with them on the said matter and to consider of the best wayes may be taken with the delated."

Here it is shown that Grissel Jaffray was actually tried and executed, and that the ministers were still thirsting for the blood of other witch-martyrs. What became of these other persons whom the hapless woman in her last agony had denounced, does not appear. No further reference is made to them in the Council minutes, though, on 8th February, 1670, the Council consented to the employment by the ministers of a "prover" or witch-finder, whose business it was to discover witches by certain marks on their bodies. Let us hope that the Councillors refused to assist the ministers in their persecuting work, having been horrified by the fearful end of Grissel Jaffray.

A consistent tradition exists that this witch was burned in the Seagate, near the spot where the first Cross of Dundee stood, almost opposite Horse Water Wynd. A doubtful story is told that when the foundation for Messrs. Jaffe



Brothers' building was being excavated about 70 years ago, a large mound of wood ashes was discovered, which was believed to be the place of Grissel Jaffray's martyrdom; but this site seems to be further east than the traditional place.

The Town Council minutes disclose a very pathetic incident in connection with this case. On the last day of November, 1669—about ten days after the execution—the aged husband of the deceased Grissel Jaffray, now in great poverty, petitioned for admission to the Hospital, the prototype of the modern Poorhouse. The passage runs thus:

“Petition, James Butchart:—The Counsell, upon ane petition presented to them by James Butchart, maltman, desyrous to be admitted to the benefit of the Hospital; Recommend the report of the petitioner's good fame and reputation to the ministers and Kirk Session.”

This application came before the Council on 7th December, 1669, and evidently the ministers had decided to deal more generously with poor Butchart than they had done with his wife. The entry is as follows:—

“Ane testimoniall of the good lyfe and conversation of James Butchart reportit to the Counsell under the hand of Mr. John Guthrie, Moderator of the Church. The Counsell, therefore, admitt the said James to the benefit of the said Hospital, and ordaynes the Master of the Hospital to receave him, he bringing with [MS. torn here] as is usuall.”

With this entry the tragedy of the lives of James Butchart and Grissel Jaffray closes, so far as authentic records go. But there has long been a current tradition that the sailor son of the aged couple brought his ship into Dundee on the very day of his mother's execution; and when he learned that the smoke rising above the Seagate was from the funeral pyre of his mother, he sailed hastily away, and nevermore returned to his native town.

About sixty years ago a metrical version of this story appeared in a London magazine; and as it is little known, it may here be reprinted:—

## THE WITCH-WIFE'S SON.

A gude ship cam' across the main,  
Across the saut, saut sea,  
And as it neared the Skipper's hame,  
A gladsome man was he.

"Look out, look out, my shipmates all,  
If land in sicht there be,  
'Tis time we saw our bonnie toun,  
Our braw toun o' Dundee."

Then ane he thocht him on his wife,  
And ane on bairnies three;  
The Skipper said within his heart,  
"My mither's face for me."

"Oh, sair, sair has my mither pined,  
While I ha'e been at sea,  
And sair she's pored ower crabbed books  
Yet thocht the mair o' me.

"For meikle kens she o' book-lore,  
And e'en o' grammarye,  
There's nae auld wife in braid Scotland  
Mair wyse nor learned than she."

Right bravely sped the vessel on,  
Right hameward gallantly,  
And soon could one and all espy  
The shores o' auld Dundee.

"Now what is't brings the gude folk forth?  
What means the company?  
For sure they ne'er hae gathered there,  
Just welcome hame to gi'e.

"Look out, look out, my shipmates all,  
And speer what can it be.  
Did ever such a gathering yet  
Meet hame-bound sailor's e'e!"

"I spy nocht but a crowd o' folk,"  
"Eh! but a flame I see!"  
Thus ane by ane the shipmen spak',  
As still they neared the lea.

"Meseems there's awfu' wark afoot,"  
The Skipper, sae spak' he;  
"They've brocht some witch or warlock forth,  
Upon the sands to dee."

There rose a wild blast through the air,  
The flames leap merrilie;  
They showed a form bound to the stake,  
Bound tightly, hand and knee.

They showed a wasted face upraised  
In mortal agony—  
Ah me! how fearsomely their blaze  
Lit up that misery!

There rose a wild cry from the land,  
A yell of mockery—  
"Ay, dee, witch, dee, nor look for help!  
Thy son's far out at sea."

Ah! woe upon the dancing waves!  
Ah! woe upon the sea!  
They've brought the gude son hame in time  
To see his mother dee.

"Now, rin the ship in fast, my mates,  
At land I fain would be;  
That surely was my mither's face,  
That face in agony.

"Now God forbid that she should burn,  
And I stand here to see!  
Ah! cruel hearts! ah! cruel hands!  
May vengeance light on ye!"

Uprose another fearsome cry,  
Uprose exultingly;  
He cou'dna hear the words they spak'.  
Yet corpse-pale turned he.

The awesome flames had done their wark,  
Nae form was left to see:  
Naught but a grim and blackened stake,  
A ghastly vacancy.

"Ah! brave a sight it was, in truth,  
To watch the auld witch dee!"  
Sae spak' the crowd, and now their gaze  
Turn'd outward to the sea.

A voice cam' frae the gude ship's side—

“Hear, townsmen o' Dundee,  
Was she wham ye hae done to death  
The mither unto me?”

They cou'dna, daurna answer, Na,  
They kenned richt weel 'twas he,  
The braw son o' the auld witch-wife  
They had led forth to dee.

They looked in ane anither's face  
An awe-struck company;  
Fain wad they ha'e the wark undone,  
The wark o' devilry.

A voice cam' frae the gude ship's side  
A voice of agony—  
“God's bitterest wrath upon ye bide,  
Ye fause loons o' Dundee!

“God hide, in His great Judgment Day,  
His holy face frae ye,  
Wha've ta'en, wi' rash and murderous hands  
My mither's face frae me!

“Heave round the ship, my seamen true,  
Stand out, stand out to sea,  
For nevermair shall foot o' mine  
Press this accursed lea.

“God's love rest wi the ashes dear  
They've scattered wantonly,  
God's mercy gather them again,  
And keep them safe for me!”

They veered the gude ship round apace,  
Ance mair stood out to sea;  
With fav'ring wind they onward fared,  
On, seawards, gallantly.

And lang, lang did the gude-wives pine,  
And lang the bairnies three,  
For ne'er again that vessel touched  
The Haven o' Dundee.!



## III.

## THE OLD CHOLERA HOSPITAL.

## RAVAGES OF THE EPIDEMIC IN DUNDEE.

THOSE who knew the Dundee of 20 years ago will remember the curious isolated building shown in the accompanying sketch, which stood at the junction of Union Street and Dock Street, nearly opposite the former West Station of the Caledonian Railway. It was separated from the line of the Union Street frontage by a broad passage forming the eastern continuation of Yeaman Shore, and as that street then made a half-circle round the building, and there were no houses between it and the pack-houses in Dock Street on the east, the site of this tenement was known as "The Island." Fish Street and Butcher Row led eastward from this open space, starting from the corner of Couttie's Wynd; while on the Dock Street front, the ground forming the south entrance to Yeaman Shore was nearly as wide as the Greenmarket. The building was entirely cleared away to form the western arm of Whitehall Crescent, and the site of the quaint old structure was in the wide expanse in front of Mathers' Hotel. Some idea of the appearance of this place may be formed from the sketch made on the spot by David Small in 1887, before the slums of Fish Street and Butcher Row, and Whitehall Close had been demolished to make Whitehall Street and Whitehall Crescent.

Long before the date of this building, however, the site had been an important one in the history of the burgh. Here stood for centuries one of the mills belonging to the Town Council, at which all the grain "thirled to the town" had to be ground. There were two water-mills at the Castle Hill, driven by the stream formed by the Scouring Burn and Tod's Burn; one windmill on the site called Windmill Brae, now New Inn Entry; another on Corbie Hill, north of the Overgate; and "the wynd-myln be-wast the schoir,"





The Cholera Hospital at the Craig.

sometimes also called "the mill at the Chapel Craig." This last windmill was destroyed by the English in 1548, but was soon restored. Up till the close of the sixteenth century it was in use; and not until 1640 was it abandoned, as the Town Council then acquired the mills of Pitkerro, Baldovan, and Mains.

To form a proper idea of the situation it must be remarked that the river then came up to the margin of Yeaman Shore, and that the mill stood on a peninsula, with water on three sides. Here, in the early years of the seventeenth century, a remarkable duel was fought between Sir George Gordon of Gight and Forbes of Towie, in which both combatants were killed.

After the Windmill at the Shore had stood unoccupied for three years the call to arms was sent forth by the Scottish Parliament, and Dundee was ordered to provide "fencible men" to defend the country. At that time the powder kept by the Town Council was stored in the cellars under the old Tolbooth (at the corner of Overgate and High Street), and it was ordered that the explosives should be removed for safety to the Windmill. In 1645 the old building was used as a depot for arms and victuals to supply the troops under Lord Middleton.

After the Battle of Sheriffmuir, when the Duke of Argyll entered Dundee on 24th July, 1716, the Town Council used "the Town's Magazine at the Shore" as a military store for artillery. Shortly after this time the neighbouring proprietors in Yeaman Shore and Dock Street made frequent applications to the Town Council for leave to reclaim ground from the river on each side of the Magazine, and thus what is now South Union Street began to take its present form.

The ruined Windmill had fallen into disuse, and the Town Council decided to sell the site for feuing. On 30th July, 1744, the Treasurer, Thomas Lundy, reported "that he had roused the Magazine House and old Windmiln, and that Alexander Smith, clocksmith, had offered 226 merks therefor." This offer was accepted, and Smith pulled down the mill and erected the building shown in the picture, which was then described as "a large tenement of land of three stories and garrets."

The proximity of this tenement to the Shore made it very



convenient for the residence of seamen and those engaged at the harbour. It was sold in flats to different proprietors, and in 1826 nearly the whole of the building was in the possession of Thomas Nish, maltman.

In that year a peculiar disease broke out in Dundee, chiefly in the locality of "the Witch Knowe" (near the modern Blinshall Street). It presented all the symptoms of cholera morbus, and was doubtless fostered by the insanitary condition of that part of the town, where the whole drainage was carried off by open sewers, which ran into the Scouring Burn, spreading contagion around. The Town Council was scared by the rapid increase of this strange epidemic, and decided to acquire the isolated building at the Shore as a special hospital for diseases which could not safely be treated in the Infirmary at King's Road. The name of "the Cholera Hospital" thus became attached to the tenement, and it retained that designation long after its use for that purpose had been abandoned.

After four months the epidemic passed away, but the building was kept in reserve, as alarming accounts of the ravages of cholera in England were then prevalent. In August, 1831, there was a partial recurrence of the disease, but it passed away within four months. In other Scottish towns, however, "Asiatic Cholera," as it was called, prevailed intermittently, Edinburgh and Glasgow being the chief centres of the plague. Dundee escaped for some time from this severe visitation.

At length, on Friday, 27th April, 1832, two persons were seized with cholera, and were taken to the Craig Hospital, where one died immediately. By 3rd May other eight cases had occurred in Neave's Land, Brown Street, and the vicinity, and during the next few days so many patients were taken to the Hospital that it was evident the epidemic had obtained a firm hold. At first it was difficult to trace the cases to personal contact, though the Witch Knowe locality seemed to be the principal centre of the epidemic.

William Lindsay, then Provost of Dundee, was an enlightened municipal ruler, and his efforts to stem the plague were well supported by the Town Councillors; yet, despite all their efforts, the epidemic raged with a virulence only comparable to that of "the Black Death" of the sixteenth century.

Weekly reports of cases, with the results, were issued by the Council, and affixed to the Pillars at the Town House. These were eagerly scanned every day by the terror-stricken inhabitants, who passed through the streets daily in pursuit of their ordinary engagements under the sombre shadow of the Angel of Death, not knowing the moment when "the pestilence that walketh in darkness" would strike them down suddenly, never more to rise.

At the Coffee House (afterwards the Masonic Temple), Dock Street) a daily report was exhibited, and the progress of the disease was closely watched. The first fortnight in May showed a report of 34 cases, with 16 deaths, being about 50 per cent.; but before the epidemic had run its course, on 15th November, the cases had increased to 807, with 511 deaths, out of a population of little over 45,000 inhabitants. At the beginning of October the cholera had increased so much that special precautions were ordered by the Town Council acting as the Board of Health. The following paragraph from the "Dundee Advertiser" of 4th October gives a vivid picture of the plague-stricken burgh:—

"During the past week a very alarming increase in the spread and mortality of the cholera has taken place. Many persons of sober and regular habits, robust body, and of strong constitution have, within these few days, fallen a prey to it. The Board of Health yesterday ordered a general fumigation in all quarters of the town. Tar barrels were accordingly placed at different points along the streets, and set fire to. When night closed, the crackling of wood and the blazing of tar made our good town resemble a smithy."

This simple statement suggests to the imagination one of those weird pictures drawn by Daniel Defoe of the Plague of London in 1664.

There are many of the tombstones in the Howff which record deaths in families during this terrible year, the proximity of dates suggesting that these were the results of the cholera. Only one stone, however, distinctly ascribes the death to that disease. It stands near the centre of the south boundary, beside the wall of the "Advertiser" building, and bears the following inscription:—

"Sacred to the memory of William Forrest, Esq., Lieutenant-Colonel in the Hon. E.I.C. Bengal Army, and for many years Inspector of their Military Stores in London. He died of cholera morbus on the 20th of July, in the fatal year of 1832, on the passage from London to Dundee, deeply lamented by his family and friends."

During the eleven years from February, 1821, till February, 1832, Dudhope Castle had not been occupied as barracks; but at the latter date the 71st Regiment of Reserve, Light Infantry, came to Dundee under the command of Major J. T. Pidgeon. He seems to have been the first to suspect the advent of the plague as being cholera morbus, for on 5th March, 1832, he issued an order in the following terms:—

"In consequence of some suspicious cases resembling the Asiatic cholera occurring in the town of Dundee, and the disease actually existing at Perth, I have considered it necessary to act upon the recommendation of the Board of Health, and ordered the whole of the married men into the barracks. (Signed) Pidgeon, Major, 71st Regiment."

In the first monthly return after this date 38 women and 63 children were entered on the roll; and probably this wise precaution on the part of the Major prevented the spread of the disease to the military, which would have been disastrous.

The following table, constructed from the elaborate report prepared by Dr. Arrot, will show at once the course of the disease and the rate of mortality more readily than a detailed verbal description. The figures are from official sources:—

| Cases |    |    |     | Deaths | Cases |    |    |     | Deaths |
|-------|----|----|-----|--------|-------|----|----|-----|--------|
| May   | 17 | .. | 34  | 15     | Aug.  | 23 | .. | 309 | 176    |
| "     | 24 | .. | 37  | 19     | "     | 30 | .. | 327 | 186    |
| "     | 31 | .. | 50  | 28     | Sep.  | 6  | .. | 340 | 196    |
| June  | 7  | .. | 66  | 40     | "     | 13 | .. | 365 | 215    |
| "     | 14 | .. | 91  | 53     | "     | 20 | .. | 385 | 229    |
| "     | 21 | .. | 111 | 64     | "     | 27 | .. | 414 | 246    |
| "     | 28 | .. | 137 | 71     | Oct.  | 4  | .. | 500 | 299    |
| July  | 5  | .. | 185 | 99     | "     | 11 | .. | 640 | 385    |
| "     | 12 | .. | 208 | 112    | "     | 18 | .. | 727 | 449    |
| "     | 19 | .. | 240 | 132    | "     | 25 | .. | 776 | 487    |
| "     | 26 | .. | 252 | 142    | Nov.  | 1  | .. | 798 | 503    |
| Aug.  | 2  | .. | 262 | 148    | "     | 8  | .. | 803 | 508    |
| "     | 9  | .. | 274 | 154    | "     | 15 | .. | 807 | 511    |



These figures are startling, as they show the proportion of deaths at the alarming rate of about 64 per cent. No doubt the methods of treatment that prevailed at the time were largely responsible for the fatal cases. Bleeding by cupping was regarded as the most effective means for arresting the disease; and possibly many weak patients were killed by this now obsolete method of cure. Probably the advent of winter had more to do with the arresting of the plague than the practices of the physicians.

On 8th November the "Dundee Advertiser" made the following announcement:—

"A citizen was this morning seen rubbing his hands, and expressing great satisfaction at the sight he had recently beheld. He had seen the last man ill of cholera at the Craig Hospital leave the place in perfect health, and receiving the congratulations of his friends as he came out. The whole neighbourhood seemed to be aware of this fact, and their joy at the change from the time when numbers of lifeless bodies were daily carried from the Hospital was very manifest. All the nurses except one had been paid off, and the salary of the Inspectors reduced one-half."

It has been supposed that the notification of the existence of infectious disease is quite a modern invention of sanitary reformers; but the Dundee Board of Health, acting under the Scottish Cholera Act of 1832, actually summoned James Colvill, surgeon, before the Justices, and had him fined in £1 and £4 5s. 6d. of costs, for failing to report a case of cholera in Temple Lane.

The cessation of the epidemic threw the onus on the Town Council of assessing the inhabitants for the expenses incurred. On 17th May, 1833, it was thought that part of the charges might be met by the sale of the Hospital; and accordingly the place—not very attractively described as "the house at Craig, lately occupied as a Cholera Hospital"—was sold, and sub-divided into small two-roomed houses.

In August, 1853, the statement published by the Dundee Board of Health showed that the total charge amounted to £1760, being made up of "various sums expended in putting up and furnishing the Hospital, in purchasing the medicines,



in defraying the charge of interments, in whitewashing 1500 rooms and 500 passages, in supplying the poor with chaff and straw for beds, in washing the clothes of the patients, in fumigating the town, in making 40,000 gallons of soup, and in purchasing bread." Verily, these philanthropists of so many years ago were practical and capable men!

The Cholera Hospital was known by that name for 50 years after the epidemic of 1832 had vanished. When the later visitations of cholera to Dundee in 1854, and to Lochee in 1869, took place, other temporary arrangements were made, and the Royal Infirmary by that time had been greatly extended.

### GEORDIE MILL, THE SEXTON OF DUNDEE.

When the Cholera Epidemic appeared at Dundee in 1832 the recollections of the "Burke and Hare" atrocities in Edinburgh were still fresh; and the sacrilegious deeds of the Resurrectionists led many innocent men to be regarded with suspicion. Burke was executed in 1829, and it was thought that there were secret compacts with sextons in many parts of Scotland to carry on the supplying of dead bodies to the anatomists in the various Universities. At this time a certain Geordie Mill was the Sexton of Dundee; and, rightly or wrongly, it was supposed that he had dealings with the Professors at Edinburgh. Parties of watchers were appointed to guard in rotation the "Auld Howff" or public cemetery. Among these was a certain William M'Nab, a weaver, born at Forfar in 1789, who had settled in Dundee, and for twenty-five years was Precentor in St. Mary's Church. Among his other accomplishments he had the gift of rhyming, and wrote many songs and short poems. As he lived next door to Geordie Mill, his suspicions were aroused, but he failed to detect him in the nefarious work ascribed to him. Nevertheless, he wrote the following song, which was sung in Dundee as a street ballad. M'Nab was suspected as the author; was brought before the Magistrates, and examined;

but as nothing could be proved against him, he was discharged without even an admonition. The "spaiks" referred to in the song were the spokes then used for carrying the coffins to the grave-sides:—

"THE ROOND-MOO'ED SPADE."

Geordie Mill, wi' his roond-moo'ed spade,  
Is wishin' aye for mair fouk deid  
For the sake o' the donnal an' the bit short-bread  
When he gans wi' the spaiks i' the mornin'.

An' if the tale that's tauld be true,  
A greater gain he has in view,  
Which mak's his fryin'-pan richt foo  
To skirl baith nicht and mornin'.

A porter cam' to Geordie's door,  
A hairy trunk on his back he bore,  
Which the Quentin Durward frae Leith shore  
Brocht roond that very mornin'.

This trunk, I'm tauld, contained a line  
Wi' sovereigns to the amount o' nine.  
The price o' a well-fed, sonsie quine  
They had sent to Monro ae mornin'.

But Geordie, to conceal their plan,  
A story tauld as fause as lang,  
Sayin' the trunk belanged to a travellin' man  
That wad call for it next mornin'.

Noo Geordie doon to Robbie goes,  
The doctor's line to him he shows,  
Which wished frae them a double doze  
By the coach on Wednesday mornin'.

Says Robbie, "Is the box come back?"  
"Oh, yes," says Geordie, giein' the purse a shak',  
"An' we maun gae an' no' be slack  
To fill't again ere mornin'."

Quo' Robbie's wife, "Oh, sirs, tak' tent,  
For sure a warnin' I've been sent,  
Which tells me ye will yet repent,  
Yer conduct on some mornin'."

"Ye fule," quo' Robbie, "Hush yer fears,  
While I've the keys fat deil can steer's?  
We've been weel paid for't ten past years,  
Think o' auchteen pounds i' the mornin'."

Sae aff they set to Tam an' Jock,  
The lads that used the spade an' pock,  
An' wi' Glenarf their throats did soak  
To keep them brisk till mornin'.

The hour grew late, the tryst was lain  
Amang these Resurrection men,  
When each his glass did freely drain,  
Sayin', "Here's success to the mornin'."

But Robbie noo does sair repent  
His slightin' o' the warnin' sent,  
For the noise o' a second coffin's rent  
Caused in Dundee a deil o' a mornin'.

Geordie Mill was at length suspended for some unexplained reason—probably because of the popularity of the ballad—and was succeeded by a "Tattie-monger Loon," which gave M'Nab another theme for a song lamenting the loss of the "Roond Moo'ed Spade." This was also sung for years in the streets of Dundee, but need not here be quoted.







*G. H. Darling*

*From the Portrait by T. M. Joy, at Trinity House, Dundee*

## IV.

## THE WRECK OF THE "FORFARSHIRE."

## A TALE OF DISASTER AND OF BRAVERY.

THERE have been wrecks far more destructive of human life than was the wreck of the Forfarshire off the Longstone Light in September, 1838; and there may have been actions even more daring and melodramatic than was the courageous rescue of the survivors by Grace Darling. But it may be safely asserted that no heroic action in recent times has taken so firm and persistent a hold upon the emotions of human nature throughout the world as this fearless deed of the heroic English girl, the memory of which has not been obliterated by the lapse of over fourscore years.

The gallant work accomplished in one forenoon, in the face of tempest and storm, has "given this action deathless fame." Few years were bestowed upon Grace Darling after this crisis in her life; and she has long been sleeping in death within sound of the breakers that beat upon Bamburgh cliffs; yet her name will survive among the great heroines of history, and there is no place in the civilised world so remote that has not known of the name of Grace Darling. To Dundee especially is the story of the wreck of the Forfarshire of interest.

The Forfarshire was built at Dundee, in the yard of Mr. Adamson, then one of the most noted local shipbuilders. She was launched on Saturday, 5th December, 1835, and as she was then the largest steamer constructed in a Dundee yard, an immense concourse of spectators witnessed the launch as an important event in Dundee shipbuilding.

The most recent improvements had been adopted in her construction. The engines were made by Mr. Peter Borrie, the most advanced engineer in the locality; and it is worthy of note that four years afterwards he built the Enterprise, which was the first iron steamer launched at Dundee.

The dimensions of the Forfarshire were as follows:—Length of keel, 127 feet; of deck, 140 feet; breadth over

paddles, 40 feet 6 inches; space between wheels, 22 feet 6 inches; burden, 270 tons; horse-power, 190. The main saloon was 36 feet long, and 24 feet broad, and she was specially fitted up as a passenger steamer, to ply between Dundee and Hull.

On Tuesday, 3rd May, 1836, the Forfarshire made her trial trip, under the command of Captain James Kidd, formerly of the London Shipping Company's steamer Perth. This trip was deemed satisfactory, the speed attained being 12 miles an hour, and the motion being very steady. After this proof of the vessel's capability, she was put upon the route designed for her.

It may be mentioned that the fares from Dundee to Hull were then as follows:—Main cabin, 20s.; fore cabin, 10s.; deck, 5s. Arrangements were made whereby passengers could be taken by steamer from Hull to London for 2s., so that the whole journey from Dundee to London in those early days—and with all the inconveniences—might be accomplished for 7s.

On 7th May, 1836, the Forfarshire made her first voyage to Hull, outstripping the Perth—then the crack steamer on the route—by four miles, though the Perth had an hour's start. This auspicious beginning was well maintained, and the Forfarshire became the favourite.

The career of the vessel, however, was destined to be brief. For two years and four months she continued to sail without mishap, and the Company was reckoned to be in a flourishing condition, when disaster overwhelmed them.

On Saturday, 1st September, 1838, the Forfarshire sailed from Dundee, and arrived safely at Hull. She left that port on her return voyage at 6.30 p.m. on Wednesday, 5th September, but she was fated never again to enter the Tay. Before she left Dundee there had been complaint as to the state of the boilers, and some hasty repairs had been effected at Hull; but the vessel had not proceeded far when a serious leak was discovered in one of the boilers.

Captain John Humble, who was then in charge, tried every means possible to remedy the defect, but without success. It was soon found impossible for the men to remain in the engine-room, as the boiling water flooded the floor, and speedily extinguished the fires.



The captain was naturally anxious, for there were then 63 persons on board, made up as follows:—39 passengers, the captain and his wife, 14 seamen, 4 firemen, 2 coal trimmers, and 2 stewards. A fog had settled down to add to the danger, and as it was found impossible to get up steam, the sails had to be hoisted.

John Kidd, one of the survivors of the wreck, who was a fireman on board the Forfarshire, long afterwards narrated graphically his dreadful experiences in these terms:—

"On the evening of the second day a gale sprang up, and gradually increased in fury, while the rain came down in bucketfuls. It was a terrible night; I never saw anything like it before or since. So far as I can remember, it was about two o'clock in the morning when 'breakers ahead' were reported. Some of the crew noticed the lighthouse at Farne Islands, and we discovered that we were out of our course, being about two miles nearer the inner light, where the Darlings lived, than we should have been.

"About a quarter-of-an-hour after the light was first noticed the steamer struck on the Longstone Rock. The sea then made a clean sweep over her, and it was only at intervals that we could manage to get a breath. I was down at the fires when the accident occurred, and on feeling the shock I attempted to get to the deck, but for a time failed. By good luck I clutched hold of the companion door, and for a considerable time—I don't know how long—I held by it.

"From the screams of the passengers as they left their berths, and the ringing of bells, and the hurried orders, I could fancy that the scene on deck must have been a terrible one; but as I was below I did not see it. My neighbour fireman was also hanging on to the companion door alongside of me; but he lost heart, and said to me that he was to let go. I did all in my power to raise his fallen spirits and encourage him, but all was in vain. He lost his hold, but I caught him by the trousers and kept him up for a while until a huge wave rolled over us, and carried him out of my sight into the bosom of the deep. The timbers of the ship then began to give way, and the sides closed like bellows shutting.

"At this juncture of my sufferings I narrowly escaped losing my life. When the sides of the ship came together my head was almost caught, and I only succeeded in getting off with



my life with a broken nose (which still bothers me) and a bruise to my head. I managed to retain my hold of the vessel, although huge seas were breaking over her, but I was in an agony of despair.

"I prayed for daylight, and when it did come we found that there were nine of us alive clinging to the wreck. The tide had ebbed very much by this time, and, though we were greatly benumbed with cold, and more dead than alive, we ventured to look around us, when we saw many dead bodies lying in different parts of the steamer.

"Before the steamer struck on the rock one of the ship's boats was lowered, and nine of the passengers and several of the crew left in it, and were picked up by a Montrose sloop bound for Shields. When once we nine shipwrecked persons, amongst whom was a lady named Mrs. Dawson, got on to the rocks, we commenced to gather spars from the wreck, and the carpenter proceeded to make a raft with them.

"We considered it unsafe to stay on the rocks, and our intention in making a raft was that when the tide rose it would float, and we would escape on it. None of us had much clothing, and the weather was very cold. I was clad in nothing but a shirt and a pair of trousers, and our sufferings were intense.

"When deploring our fate, however, we caught sight of a boat coming in the direction of the rock, and this put new life into us. The boat was manned by a man and woman, who turned out to be Grace Darling and her father from the Longstone Lighthouse. The boat was a small English coble, which could not take us all off at once.

"Mr. Darling was very careful with his boat when he reached the rock. He rowed about till he could get a chance to come near with safety, and then he shouted for one of us to jump into the little craft. Mrs. Dawson was very much exhausted by this time, and it was with great difficulty that we could get her into the boat safely; in fact, we had to fling her into it.

"I do not remember how many were taken to Mr. Darling's home in the first passage that was made, but after we had landed there our rescuer—Mr. Darling—the carpenter, and I returned for the others, and we were all landed safely at the lighthouse."

The scene of the wreck was the Harkar's Rock, about half-a-mile from the Longstone Lighthouse on the furthermost of the Farne Islands. The keeper of the light was William Darling, who lived on this sea-beat island with his wife and one of his daughters—Grace Horsley Darling.

In the early morning, after that tempestuous night, Grace Darling was awakened by the cries of the shipwrecked party. She aroused her father, and when day broke they could see the wreck on the Harkar's Rock, and dimly descry moving figures. The sea was still raging, and Darling knew it would be impossible for him alone to manage his little coble through the swelling flood.

It was then that Grace volunteered to venture with him, and Mrs. Darling, with no less admirable philanthropy, consented that her husband and daughter should imperil their lives in the hope of rescuing the sufferers. The frail craft set out for the wreck. The result of that perilous voyage is told in John Kidd's narrative. John M'Queen, another of the survivors, thus described the rescue :—

"It was about nine o'clock when the lifeboat with Grace Darling came alongside of the rock. They touched the South end first, where the father came out, while Grace went a long way round with the boat to the lee-side, where it was more sheltered. I was the first one she spoke to when she touched the wreck. She said, 'Oh, honey, honey, how many more are there of you?'

"I was almost overcome at seeing that a young girl was our rescuer. I said, 'God bless you, woman; God will reward you.' One-half of those on the wreck were taken ashore in the boat by Grace and her father.

"It was very stormy, and I believe that Grace and her father would have been unable to regain Longstone without the assistance of the others, as the tide was also running against them. Mr. Darling and two of the sailors returned to the wreck in half-an-hour or so, and took the remainder of us to the lighthouse. Grace Darling dressed my wounds. We were supplied with everything that we required, including clothes. We remained there from the Friday till the Sunday."

Of the 63 persons on board the Forfarshire, 18 were saved and 45 were drowned. Shortly before the vessel struck,

some of the crew came aft and lowered the port quarter boat, intending to keep near the steamer and take off as many as possible. But those on board this little craft—nine men, including one passenger—had only two oars, and they were carried southward by the current. After daybreak they were picked up by a sloop belonging to Montrose, and landed at North Shields.

The nine passengers taken off by Grace Darling were these:—John Kidd, fireman, Dundee; Jonathan Tickett, cook, Hull; John M'Queen, coal-trimmer, Dundee; John Tulloch, carpenter, Dundee; James Nicholson, fireman, Dundee; D. Donovan, fireman (passenger), Dundee; James Keeley, weaver, Dundee; Thomas Buchanan, baker, Dundee; Mrs. Dawson of Hull, bound for Dundee, with her two children, both of whom died from exposure on the night of the wreck.

Of these, John Kidd, a native of Barry, ultimately settled at Carnoustie, and was a member of the Parochial Board and a Director of the Carnoustie Gas-Light Company for many years. He died in 1889, aged 78 years. John M'Queen was a member of the Dundee Police Force previous to 1843, and after that time was for 20 years in the Fifeshire Constabulary. He became timekeeper at the Lassodie Coal Pit, and died in 1889, aged 77 years. Mrs. Dawson settled in Dundee, and lived for some time previous to 1846 at Wilkie's Lane, and afterwards in Lochee, where she sold smallwares. She never entirely recovered from the shock occasioned by her sad experience.

Of the nine who escaped in the boat from the steamer, David Grant was for a long time resident in the Hilltown of Dundee, and was alive in 1892, being then 82 years of age. James Gall, another who took to the boat, lived for many years at Padanaram, near Forfar, and was hale and hearty in 1888, being then 84 years old. James Nicholson, fireman, died at Glasgow in January, 1887.

The heroic act of Grace Darling called forth many expressions of admiration in all parts of the world. The Duke and Duchess of Northumberland invited William Darling and his daughter to Alnwick Castle, and gave the heroine a present of fifty guineas from Queen Victoria. Medals and honours were thrust upon the heroine, and there was settled on her an income which improved the circumstances of the family,



for with them she continued to live in fame as in previous obscurity.

It was a brief life of fame, however. Before three years had passed it was known that consumption had marked Grace Darling for its victim. She was removed first to Bamburgh, her birthplace, thence to Wooler, and on to Alnwick, where it was seen that death was a question of time. She returned to Bamburgh, and there, tended by her sister Tomasine, she died (less than a fortnight after her arrival) on the 20th of October, 1842, four years after the wreck of the Forfarshire, and when she was only 26 years old. Her mother died in 1848; her father in 1865; and that sister Tomasine, who was her tender nurse, died in 1886.

Dundee was not behind other places in recognising the gallant deed of the Darlings. William Maule, Lord Panmure, commissioned T. M. Joy to paint a picture of the wreck of the Forfarshire, and also portraits of Grace Darling and William Darling. These were presented to the Seamen's Fraternity of Dundee, and are now in the Dundee Collection in the Albert Institute. In the Dudhope Museum there is the figure-head of the Forfarshire, and a number of dinner plates and assiets with a picture of the vessel which were saved from the wreck. A subscription was raised in the burgh and neighbourhood, and the letters written by Grace and her father acknowledging the gift, are now in the Dudhope Museum, Dundee.

### GRACE DARLING'S TOMB.

A very beautiful canopy tomb was erected in Bamburgh Cemetery over the remains of Grace Darling, the cost being defrayed by public subscription.

In 1886 the recumbent figure had become so weather-worn that it was removed to the interior of the Church, and the late Lord Armstrong caused a more durable figure to be put on the tomb in its place. During a severe storm in August, 1895, the canopy was blown down, but it was rebuilt, and stands as the memorial of a heroic deed, the story of which thrilled the world at the time.



## V.

## REFORM RIOTS IN DUNDEE.

## ATTEMPT TO BURN DOWN THE TOWN HOUSE.

**I**T is difficult for this generation to appreciate duly the intense excitement caused throughout the Kingdom by the Reform Bills of 1831 and 1832. Previous to that time the Tory Party had presented a solid phalanx to resist political reform of any kind. In the early years of William Pitt's career that statesman had proposed a measure of franchise reform in 1782, but the motion was lost by only 20 votes in a House of Commons numbering more than 300 members.

The subject of Reform was thrust into the background by the Continental troubles which began with the French Revolution of 1789 and lasted until 1815, the year of Waterloo. But the people of Britain, emboldened by the example set by the United States and by France, continued to demand some Parliamentary reform which would give them a share in the government of the country.

At length, in 1831, Earl Grey framed his Reform Bill, which was introduced in the House of Commons, and passed the second reading on 22nd March, 1831, the votes being:—For the Bill, 302; against it, 301. This triumph of Liberalism over determined Tory opposition was hailed with demonstrations of enthusiasm throughout the country. The people saw only the great fact that they had gained a majority in the House of Commons. On 19th April a motion to remit the Bill to Committee was defeated by 299 votes to 291, and four days afterwards the Bill was abandoned and Parliament dissolved.

In the new Parliament it was introduced on 24th June, and passed the third reading with a majority of 109; but the House of Lords threw it out by a majority of 41. It was not until June, 1832, that the Reform Bill was triumphantly carried and became law.

Dundee had been Radical in its political creed from the beginning of the century; and had greatly aided the cause of Reform. Naturally, therefore, the news of the majority

in favour of the Bill of 1831 was received with the highest satisfaction. The London papers, which arrived in Dundee on the morning of Saturday, 26th March, brought the intelligence of the passing of the Bill, and the Radicals of Dundee were anxious to testify their joy by means of an illumination, which was then a favourite form of jubilation.

No preparations had been made for a display of this kind, and the Magistrates were not inclined to take steps to bring about any such recognition. Nevertheless an attempt was made on Saturday evening. The Trades Hall, Mr. Budge's Hotel, and Mr. Scott's Inn in the Wellgate were all brilliantly illuminated. The "Dundee Advertiser" declares that on Saturday night "the spacious area of the High Street was crowded with happy citizens, and the expenditure of gunpowder in the shape of squibs was great."

This was not deemed a sufficient recognition of the great event, and a handbill was hastily printed and distributed among the people, advising that Monday evening should be set apart for special illuminations in honour of the occasion. It was suggested that the people should congregate in front of the Town House, and show their approval of Reform in an unmistakable fashion.

At that time the civic rulers were divided upon political questions. The Town Council was still under the old system, which was not abolished till 1833; and they were practically self-elected, and kept "the lower orders"—as they were termed—under subjection. Consequently, on Monday morning, some of the Police Commissioners resented the distribution of the handbills as an attempt to take the control of the burgh out of their hands; but, on reflection, it was decided not to interfere with the proposed illumination.

The Justices of the Peace—mostly Tories in those days—were much inclined to prohibit the illumination; but discretion prevailed, and they ultimately decided not to interfere, but rather to gain favour with the populace by recommending that it should proceed.

If there had been any doubts as to the Radical principles of Dundee before this eventful Monday night, these would have been dispelled when the time came. It may be sufficient to quote the words of the "Dundee Advertiser" to show how the incident appeared to an eye-witness:—

"The splendid appearance of the town on Monday evening was a decisive proof of a desire on the part of the inhabitants to illuminate, so strong and general that no authority in the town could have suppressed it. The coup d'œil from the Harbour looking towards the houses which cluster the steep declivity to the northward was particularly striking. The vessels in the Harbour were decorated with flags, and minute guns were discharged from some of them. The hills of Fife were radiant with fires."

It was then a favourite method of "demonstrating" on any great occasion to procure an old boat, load it with tar barrels, and set fire to the pile, and then drag the blazing vessel through the streets. This plan was followed on Monday evening. A crazy old boat was found at the Harbour, a tar barrel was placed in it, and lighted, and the sportive crowd drew it up Union Street to the corner of the Nethergate. Here it blazed for some time, and when the flames were decreasing new fuel was found. Then the crowd attached a rope to it, and pulled the burning mass along the Nethergate, up Tay Street, and back by the Overgate to the High Street. Here the boat was drawn up opposite the Town House, and more tar barrels were procured to feed the flames.

### THE BONFIRE.

In the open space of the High Street there was little danger to be feared from this bonfire, and though the crowd of spectators was large, it was an orderly and good-humoured gathering. Transparencies were shown in several of the windows, and four effigies representing the Duke of Wellington, Sir Robert Peel, Sir William Rae (formerly Lord-Advocate), and Mr. Percival, were burned, but no riot was caused thereby. Up till about eleven o'clock nothing but the greatest harmony and jollity were visible. The crowd then began to disperse, and by half-past eleven there were scarcely 200 people in the High Street.

About this time a band of Special Constables and the members of the Police Force made their appearance in a body, and took possession of the bonfire. They began to throw



water upon it and to keep back the crowd somewhat roughly. Some of the leaders of the people resented this interference. The police were assailed with stones and driven down St. Clement's Lane towards the Police Office, many of them being severely injured.

In the course of the skirmishes forty of the crowd were seized and put into the cells in the Police Court. The prevailing notion was that if the police had not interfered, but allowed the bonfire to burn itself out, there would have been no disturbance. However, the streets became quiet, and it seemed as though the danger had passed away.

On the following (Tuesday) morning the Justices met early, and the prisoners were brought before them. They were all discharged except three, who were accused of assaulting the constables. Bail was offered for them, but refused.

In the afternoon, when it became known that these men were to be detained, a crowd began to assemble in the High Street, and soon showed a menacing attitude towards the Justices and the police. Between seven and eight o'clock the crowd had increased, so that the constables had no power to control the people; and threats of vengeance were uttered against the Justices unless the prisoners were liberated.

A strange method of annoying the Justices, who were then in the Town House, was adopted. Another old boat was procured, and dragged up to the Murraygate, where a barrel of tar was emptied into it, and the whole set on fire. It was then drawn as a ship of fire to the Pillars of the Town House, and laid against the door in such a way that the smoke was blown into the Council Chamber and nearly choked the Justices who were sitting there.

Violent demands were made for the liberation of the three prisoners, and an attempt was made to set the door of the Town House on fire by laying the burning boat against it. Mr. Sturrock, one of the Justices, set out for the Police Office with the purpose of releasing the men, but the keys of the cells could not be found.

This story of the lost keys only made the rioters more furious. They now turned their attention to the Police Office. The door was burst open with a beam of wood, used as a battering-ram. Superintendent Home and others of the officials made their escape by a back door, while the



rioters entered at the front. The prisoners were released, and the vengeance of the crowd began.

The Police Office was sacked, and its contents thrown out to St. Clement's Lane. The Superintendent's books, the greater part of the furniture, the benches of the Court Room, the watchmen's greatcoats, rattles, and lanterns were carried to the street and burned in a heap before the door.

The fire in this narrow lane threatened the adjoining houses, and might soon have become a general conflagration. Some of the crowd began to transfer the fire to High Street, where there was less danger; and here it was fed with fuel—barrels, salmon boxes, and palings—so that it blazed till about six o'clock on Wednesday morning.

While part of the crowd was busy at the Police Office, others of the rioters proceeded to the house of Superintendent Home, in the Hawkhill, broke all the windows, and attempted to set fire to the place. They forced an entrance, and demolished the whole of Mr. Home's furniture, casting the broken articles in the street. They then went to the grocery shop in the Overgate, occupied by Sergeant Dow, broke open the door, and in sheer mischief they scattered the groceries in the street.

For several hours the streets of Dundee were patrolled by rioters, and the policemen were compelled to take refuge and remain in hiding from the fury of the crowd. All through Tuesday night and Wednesday morning the town was completely at the mercy of these infuriated men.

Early on Wednesday the Earl of Airlie, who was Lord-Lieutenant of the County, made his appearance in Dundee, and endeavoured to pacify the people. He addressed the crowd from the stair of the Police Office, but the noise prevented his being heard. He was pelted with fragments of the clothes which had been destroyed the previous night; but he shook these off with a good-natured and unconcerned air, and his frank bearing soon disarmed hostility. He left the town in the course of the day, and was loudly cheered by the crowds as he passed along in his carriage.

In the meantime an express had been sent to Perth for military, and a small party of the 78th Highlanders arrived in town about mid-day on Wednesday. They were drawn up in the High Street in the evening, and then marched to

the Council Room. About a thousand special constables paraded the streets in large bodies. By sunset the High Street was filled with a dense crowd, but no further attempt at rioting was made, the mob having been satisfied with the commotion of the previous night. Betwixt eleven and twelve o'clock the streets had resumed their wonted appearance and a conflict had been avoided by keeping the police within doors. Thus ended one of the most dangerous riots that ever took place in Dundee.

### TRIAL OF THE RIOTERS.

The three prisoners—James Barnet, quarrier; John Jolly, seaman; and Thomas Kettle, baker—were apprehended in April on a charge of rioting; and four men who had attempted the rescue of the prisoners were also charged with mobbing and rioting. They were—John Tomlinson, flesher; Frederick Scott, watchmaker; James Findlay, hostler; and George Haggart, painter, the last-named being a lad of 17 years of age.

On 13th June, 1831, these seven men were tried at the High Court of Justiciary at Edinburgh. Henry Cockburn, the Solicitor-General, conducted the prosecution; and the Judges were the Lord Justice Clerk (David Boyle), Lord Gillies, Lord Medwyn, and Lord Meadowbank. The three men—Kettle, Jolly, and Barnet—pleaded guilty to mobbing and rioting, and were sentenced to six months' imprisonment in the Jail of Dundee.

The other four men—Findlay, Tomlinson, Scott, and Haggart—pleaded not guilty, and were tried at length. They produced witnesses to prove an alibi, but the jury returned a verdict of guilty, recommending Scott to mercy. The sentence was severe. Findlay and Tomlinson were sentenced to transportation for fourteen years; Haggart, seven years; and Scott to 18 months' imprisonment in Bridewell.

The sentence was deemed so disproportionate to the offence that a petition to the King was numerously signed in Dundee, but failed to effect its purpose. It is recorded in the "Dundee Advertiser" that the condemned men were shipped from Leith to London on 2nd August, 1831, their destination being Botany Bay.

## VI.

## STORY OF FANNY WRIGHT.

## PIONEER FOR WOMAN'S RIGHTS.

**M**ORE than seventy years have elapsed since the death of the famous lecturer and philanthropist, Fanny Wright; and it is to be feared that the present generation of Dundonians may know little of one of the most distinguished women ever numbered among "the town's bairns" of Dundee. In the United States of America, where she spent most of her life, Fanny Wright's name is still held in reverence as that of one who anticipated many of the social reforms that have been accomplished since her death; one who was not a mere theorist, but who strove to carry into practice her broad schemes of philanthropy.

Like many other Reformers of the world, Fanny Wright was far in advance of her contemporaries; yet it is a striking fact that the abolition of slavery, which she strenuously advocated for thirty years, was accomplished by a stroke of the pen of President Lincoln ten years after her death. In the realms of Free-thought (now called "Secularism") she propounded theories which John Stuart Mill, Charles Bradlaugh, and George Jacob Holyoake elaborated; and in her writings there may be found the germs of latter-day Rationalism. However one may disagree with Fanny Wright's anti-religious sentiments, the story of her strange career cannot fail to interest her fellow citizens.

The family to which Fanny Wright belonged had been settled in Dundee for about a century before her birth. The first of her ancestors who can be definitely traced was Alexander Wright, merchant, who was enrolled as a burgess in 1724, and three years afterwards became a Town Councillor, and remained in office till 1732. He was the proprietor of the curious building with the round tower which still stands between the Overgate and the Nethergate, facing the High



Street, and is remembered as the birthplace of the Duchess of Monmouth and the headquarters of General Monck after the Siege of Dundee in 1651.

His son, James Wright, merchant, was a man of considerable wealth. He built the large mansion on the south side of Bucklemaker Wynd (now Victoria Road), which was afterwards occupied as an Asylum for the Deaf and Dumb. James Wright was the first of the Dundee merchants to issue trade tokens bearing representations of public buildings in the burgh. These were designed by his son, James Wright, jun., who is afterwards mentioned; and among the places represented are the Old Steeple, the Town House, Dudhope Castle, St. Andrew's Church, the Old Cross, the Trades Hall, the Infirmary, the Cowgate Port, and the Glass Works. The grave of James Wright, sen., in the Howff of Dundee, was marked by a stone which bore the following inscription:—

Here lies a man, whose life might fitly be  
Pattern of Virtue, Faith, and Honestie;  
Peace, Candour, Justice, shined in his ways;  
In Heaven now he blessed doth rejoice.

James Wright, jun., was more advanced than his father, both in religion and politics. He was an ironmonger, his shop being in the building in the Overgate which was cleared away when Tally Street was formed. His residence was in Miln's Buildings, in the Nethergate, and there his second daughter, Fanny Wright, was born on 6th September, 1795. After his father's death in 1780, James Wright became a pronounced Radical, and also threw off the adhesion to orthodoxy which he had formerly maintained. He became a member of the Whig Club, of which George Dempster of Dunnichen was President; and he was an ardent sympathiser with the French Revolutionists in 1789.

Among his intimate friends were Adam Smith, author of "The Causes of the Wealth of Nations"; Professor William Cullen of Edinburgh; Professor John Millar of Glasgow; and many other of the leading literary and scientific men of his day. He was in correspondence with Thomas Paine, and he arranged to bear the chief part of the expense of printing that author's book, "The Age of Reason," for circulation at a nominal price. Evidently he was a man ahead of his time,



and the influence of heredity may easily be traced in the career of his daughter Fanny. It may be added that James Wright was an authority on old coins, and wrote a learned introduction to Conder's "Arrangement of Provincial Coins, Tokens, and Medalets," which was published in 1798, and is the standard work on the subject.

The development of the French Revolution of 1789 into the Reign of Terror had caused a panic in this country, which was not allayed by the military conquests of the French Army under Bonaparte. All those who had been prominent as sympathisers with the Revolutionists were regarded with suspicion by the Government, and the prosecution, in 1793, of Thomas Fyshe Palmer, Unitarian minister of Dundee, for a slight connection with the Society called "The Friends of Liberty," made the bravest Radicals quail for a time.

No positive proof has been found of James Wright's association with this Society, though it is very probable that he was a leading spirit in its organisation. This, at least, is certain, that Wright was in constant correspondence with the leading French Republicans, and was on intimate terms with Lafayette. He learned indirectly that the Government had him under suspicion, and was in expectation of a domiciliary visit from the myrmidons of the law.

To avoid the dangers that might ensue, one dark night he gathered together all the treasonable and compromising papers in his possession, took a small boat at Craig Pier, and, rowing out alone to the centre of the river, he committed these dangerous documents to the keeping of the Tay. He then deemed it expedient to leave the country, and made his way to America, where he died suddenly in the early years of last century.

Fanny Wright, left thus an orphan of tender years, the heiress of a considerable fortune, chiefly invested in Dundee property, was entered as a ward in Chancery, and was brought up by her maternal aunt. She obtained an education much higher in quality than was then available for young Dundonian ladies, her principal tutor being Professor Mylne, from whom she may have learned some of her advanced ideas.

So rapidly did her mind expand that when she was only 18 years of age she wrote a book which has been frequently republished, and is reckoned a remarkable instance of

precocity in thought and elegance of diction. It may be questioned whether any young girl of eighteen years ever wrote a book displaying so thorough an acquaintance with the varied opinions of the Greek philosophers, combined with so much originality.

Clearly, Fanny Wright, even at this early stage, was far removed from the conventionality which ruled female thought and action when the nineteenth century was young. In the matter of religion she was certainly untrammelled by Creeds and Confessions, and brought an acute mind to the consideration of the great questions of theology.

The book entitled "A Few Days in Athens" is what would now be called a philosophic romance. It purports to be the experiences of Theon, a young Corinthian, who has come to Athens as a pupil of Zeno, but who is drawn towards the opposite School of Epicurus. A slight love story is brought into the plot; but the main purpose is to show the "sweet reasonableness" of the Epicurean system. One quotation will serve as an example at once of the brilliant language of the writer, as well as her daring treatment of conventional religion. In the last oration of Epicurus, the following passage occurs:—

From an early age I have made the nature and condition of man my study. I have found him in many, many countries of the earth, under the influence of all varieties of climate and circumstance; I have found him the savage lord of the forest, clothed in the rough skins of animals less rude than himself, sheltered in the crevices of the mountains and caves of the earth from the blasts of winter and heat of the summer sun; I have found him the slave of masters as debased as himself, crouching to the foot that spurns him, and showing no signs of mis-called civilisation but its sloth and its sensualities; I have found him the lord over millions, clothed in purple and treading courts of marble; the cruel destroyer of his species, marching through blood and rapine to thrones of extended dominion; the iron-hearted tyrant, feasting on the agonies of his victims, and wringing his treasure from the hard-earned mite of industry; I have found him the harmless but ignorant tiller of the soil, eating the simple fruits of his labour, sinking to rest only to

rise again to toil, toiling to live and living only to die; I have found him the polished courtier, the accomplished scholar, the gifted artist, the creating genius; the fool and the knave; rich and a beggar; spurning and spurned.

Under all these forms and varieties of the external and internal man, still with hardly an exception, I have found him unhappy. With more capacity of enjoyment than any other creature I have seen him surpassing the rest of existences only in suffering and crime. Why is this, and from whence? What master error, for some there must be, leads to results so fatal—so opposed to the apparent nature and promise of things? Long have I sought this error—this main-spring of human folly and human crime. I have traced through all their lengthened train of consequents and causes, human practice and human theory; I have threaded the labyrinth to its dark beginning; I have found the first link in the chain of evil; I have found it—in all countries—among all tribes and tongues and nations; I have found it. Fellow-men, I have found it in—RELIGION.

The note thus sounded became dominant through all the work of Fanny Wright. She was a Secularist before the name of Secularism had been invented.

In 1818 Fanny Wright paid her first visit to America, in company with her younger sister; and the letters which she wrote home describing her experiences were published in 1822 under the title, "Views of Society and Manners in America." Those letters covered the period from 1818 to 1820, and permitted her to ventilate her opinions upon the freedom of the Republic. While at Philadelphia in 1819 she published "Altorf," a tragedy founded upon the story of William Tell.

Returning to Europe, Fanny Wright and her sister visited Paris in 1821, on the invitation of General Lafayette, with whom her father had corresponded in the Revolution days. At this time she could converse fluently in French and Italian, and was well acquainted with the literature of both these nations. By Lafayette she was introduced to many of the leading Hungarian and Polish political reformers, and travelled through Europe with her sister, advocating universal suffrage without regard to colour or sex.



In 1825 she returned to America determined to take up her residence permanently there, and to work out some of her socialistic experiments in the land of freedom.

The first step taken by Fanny Wright towards the emancipation of the slaves was the purchase of 1890 acres of land in West Tennessee, about 14 miles from Memphis, on both sides of the Wolf River, which she named Nashoba. She purchased nine negro slaves, and brought them to this colony, which she established "on the principle of community of property and labour." Her expectation was that these slaves in a few years would work out the price of their freedom by their own industry; and she fondly hoped that Southern slave holders would follow this example, and thus ultimately bring about complete emancipation.

In this she was grievously disappointed. She had been attracted by Robert Owen's Socialistic experiment at New Harmony, and had visited the place and made the acquaintance of the founder's son, Robert Dale Owen. Finding that she could not manage Nashoba herself, she appointed ten trustees (including her sister, Lafayette, and Robert Dale Owen), to whom she handed over all her property there, heritable and moveable, "in perpetual trust for the benefit of the negro race."

Before a year had elapsed the trustees found it impossible to carry on the work without transgressing State law, and the property was restored to Miss Wright. She then went to New Harmony, and threw in her lot with the Owenites, becoming co-editor with R. Dale Owen of the "New Harmony Gazette." In 1874 (three years before his death) Mr Dale Owen wrote an autobiography entitled "Threading my Way," in which he thus gives his impressions of Fanny Wright's character:—

"She had a strong, logical mind, a courageous independence of thought, and a zealous wish to benefit her fellow-creatures; but the mind had not been submitted to early discipline, the courage was not tempered with prudence, the philanthropy had little common-sense to give it practical form and efficiency. Her enthusiasm, eager but fitful, lacked the guiding check of sound judgment. Her abilities as an author and lecturer were of a high order; but an inordinate estimate of her own



mental powers, and an obstinate adherence to opinions once adopted, detracted seriously from the influence which her talents and eloquence might have exerted. A redeeming point was that to carry out her convictions she was ready to make great sacrifices, personal and pecuniary."

Robert Dale Owen thus describes her as she was about the time when she went to New Harmony, in 1827 :—

"She had various personal advantages—a tall, commanding figure, somewhat slender and graceful, though the shoulders were a little bit too high; a face the outline of which, in profile, though delicately chiselled, was masculine rather than feminine, like that of an Antinous, or perhaps more nearly typifying Mercury; the forehead broad, but not high; the short chestnut hair curling naturally all over a classic head; the large, blue eyes, not soft, but clear and earnest."

When to these personal attractions there was added the charm of a melodious voice, some idea may be formed of the power which Fanny Wright exercised as a platform orator. After a visit paid to Paris in company with Robert Dale Owen, in 1827, she returned to America, and went to Cincinnati.

Fanny Wright was "a Radical in politics, in morals, and in religion," and as a revival had taken place in Cincinnati in the summer of 1828, and had produced many scenes of hysterical mania, she was moved to protest indignantly against "the clergy of three orthodox sects," who had encouraged the incident. She afterwards wrote:—"The victims of this odious experiment on human credulity and nervous weakness were invariably women. Helpless age was made a public spectacle, innocent youth driven to raving insanity, mothers and daughters carried lifeless from the presence of the ghostly expounders of damnation; all ranks shared the contagion, until the despair of Calvin's hell itself seemed to have fallen upon every heart, and discord to have taken possession of every mansion."

With characteristic imprudence, Fanny Wright began to deliver a course of lectures directed against religion, and the clergy in particular. These raised a perfect storm among the clergy, but the lecturer proceeded with her purpose. She

twice delivered a course of lectures in Cincinnati, and was asked to deliver them in New York, Boston, and Philadelphia. The "Course of Popular Lectures" was published in 1829, in 1830, and again with additional addresses, in 1834, having been issued in England by Eliza Sharples Carlile, the wife of Richard Carlile, who first published Paine's "Age of Reason."

To increase the impression she had made in Cincinnati, Fanny Wright established the "Free Inquirer" (formerly the "New Harmony Gazette"), which, she says, was "the first periodical established in the United States for the purpose of fearless and unbiassed inquiry on all subjects." It was afterwards issued in New York. Shortly after this time she took part in founding the "Boston Investigator," the oldest Freethought journal in the world.

When Fanny Wright visited New Harmony for the second time (1827) she made the acquaintance of M. Phiquepal d'Arusmont, a Frenchman, who was one of the teachers there; and ultimately she was married to him in 1838. Robert Dale Owen thus frankly expresses his opinion of D'Arusmont:—"He was a man well-informed on many points, full of original ideas, some of practical value, but, withal, a wrong-headed genius, whose extravagance and wilfulness and inordinate self-conceit destroyed his usefulness. He had a small school, but it was a failure; he gained neither the goodwill nor the respect of his pupils."

This was hardly the kind of man likely to retain the affection of a strong-minded woman like Fanny Wright; and her married life was not happy. She had to take legal action to restrain him from interfering with the disposal of her property, and at length she separated from him, and retired with her daughter to Cincinnati, and gave up her public career.

Her death took place there on 14th December, 1852, when in her 58th year. She was buried at Spring Grove Cemetery, Cincinnati, where a simple marble monument marks her final resting-place.

The only child of Fanny Wright was Frances Silva d'Arusmont, who was married to William Eugene Guthrie, said to be a member of the old Forfarshire family of Guthrie. He was a medical doctor, and assumed the additional name of d'Arusmont. In 1867 she came with her husband to Dundee and resided there at 1 South Tay Street for about twelve

months, principally for the purpose of arranging about the extensive property in Dundee which she had inherited. While in the city, her son, William Norman Guthrie, was born on 4th March, 1868.

The family returned to the United States, where the son had a distinguished academical career. He graduated B.L. at the University of the South in 1889, and M.A. in 1891, and was Assistant Professor of Modern Languages there in 1889-90. He held the position of Professor of Modern Languages at Kenyon College in 1892-93, and was ordained to the ministry of the Protestant Episcopal Church in 1903, becoming missionary in charge of Christ Church, Kennedy Heights.

In 1894-96 he was Assistant at the Church of the Advent, Cincinnati, and was Lecturer on Comparative Literature at the University there in 1898-1900. In the latter year he became Rector of the Church of the Resurrection, Fern Bank, Ohio; was Rector of Christ Church, Alameda, California, 1903-8; and Professor of General Literature, University of the South, 1908-10. In 1910 he was appointed Rector of St.-Mark's-in-the-Bouverie, New York, which position he holds still (1923) with great distinction. He is a prolific author, among his books being "Love Conquereth," "Modern Poet-Prophets," "A Booklet of Verse," and "Songs of American Destiny." It will be noticed that the genius inherited from his grandmother, Fanny Wright, has developed in a different direction from that in which her powers were displayed.

The second son, Kenneth Sylvan Guthrie, was born at Dundee in 1871, and educated at the University of the South, Sewanee, Tennessee, and afterwards at Harvard, where he took his M.D. degree. Like his brother, he preferred Theology to Medicine, and studied at Marburg and Jena, becoming there a Graduate in Divinity in 1910. His career in the Church was very successful, as he held important charges in Natchiloches, Louisiana, Hingham, Massachusetts, Philadelphia, and New York. At present (1923) he is Professor in the University of the South, and also in Hunter College, New York. He also is a voluminous author, his works being chiefly theological, and translations from the Greek and other languages. Both the grandsons of Fanny Wright have won fame in different spheres from those which occupied her energies.



## VII.

## CORONATION DAY, 1838.

## THE BURNING OF "SCOTTIE'S SHOW."

THAT part of Dundee which lies between Yeaman Shore, Greenmarket, and Castle Street is haunted by many memories of historical events. The locality has been almost entirely reconstructed during the past fifty years; and no one who left Dundee in the late "seventies" would be able to identify the Dock Street of that time with the modern crescents and streets which now take the place of the former ruinous buildings.

The inconsiderable structure which once formed the Caledonian Railway Station has been replaced by a splendid baronial pile. The old Cholera Hospital, which stood on a plot of ground called "the Island," opposite the Station, has been swept away, and the lofty buildings of Whitehall Crescent are erected on its site. The quaint old tenements that formed Whitehall Close have been demolished, and a spacious street now follows the route of that ancient alley. Not a vestige remains of the Pack-houses which stood at the corner of Greenmarket and Dock Street, and which were thought amply sufficient in the middle of the seventeenth century for the warehousing of the imports to the harbour. Fish Street and Butcher Row, where once the mansions of the wealthiest burgesses stood, have disappeared entirely, their sites being absorbed in Whitehall Crescent. The whole aspect of that part of the old burgh has been quite transformed by "the march of progress." To one of the memorable scenes enacted in this locality attention is now directed.

The custom of having special rejoicings in Dundee in connection with Royalty dates back to the year 1617, when James VI., who had then been King of Great Britain for fourteen years, returned "saumont-like" (as he said himself) to his native land, and stayed for a night in Dudhope Castle,



as the guest of Sir James Scrymgeour, Constable of Dundee. The burghers were then enthusiastically loyal, and a special holiday was kept. From that time the King's Birthday was made the occasion for an annual "splore," in which all the inhabitants took part.

When William III.—the "Orange Billy" of Irish song—came into power Dundee was in a curious situation. The people were mostly in favour of the Protestant King, while the upper classes—Provost, Magistrates, Councillors, Town Clerk, and the Merchants—were nearly all Jacobites. Writing about Dundee of the time after George I. became King, the Lord-Justice-Clerk (Adam Cockburn of Ormiston) described the moneyed people as "noted Jacks;" yet after 1715 the King's Birthday was celebrated as a holiday by the working-classes. A distinct wheel-around took place in 1745. The civic rulers were then all Hanoverians, while the "common people" sympathised with Prince Charlie. Culloden was fought on 15th April, 1746, and when the birthday of George II. came round on 30th October there was a violent Jacobite demonstration by the people. It is recorded that "the adherents of the Pretender pelted His Majesty's loyal subjects when passing well-dressed through the streets to solemnise the Birthday, with a view to mortify them."

This anti-Hanoverian feeling was so strong that the Magistrates forbade Birthday celebrations for several years. A better feeling prevailed when George III. came to the throne in 1760, and the former style of mirthful jollity prevailed, though mixed with some horse-play. The Coronations of George IV (1821) and of William IV. (1831) revived the older rowdy form of jubilation; and the Coronation of Queen Victoria (1838) witnessed a strange event which is now to be related.

The death of William IV. on 20th June, 1837, brought the fair young Princess Victoria to the throne. She had not completed her nineteenth year, and her advent was hailed with enthusiasm. The Coronation was appointed to take place on 28th June, 1838, and the Magistrates decreed that it should be a day of public rejoicing. Most of the public works were closed, and flags were hoisted everywhere. At 12 o'clock a detachment of the 91st Regiment, then quartered in Dudhope Castle, assembled in the barrack yard, and fired

a *feu de joie*. Seven guns had been placed on the Marine Parade, and at noon a Royal Salute of 21 guns was fired, and this was repeated at two o'clock. The youths of the period—perhaps now grey-haired old men—armed themselves with pistols, which they fired off promiscuously to testify their joy at the new political event which had once more brought a Queen to the throne after a lapse of nearly a century and a half.

As the shades of evening began to fall, squibs, crackers, zig-zags, and other pyrotechnic forms of torment were used with a malignity which was quite in the modern style. Bonfires were lighted in various parts of the town, and fuel was readily found wherever wooden palings existed. The Town Council set an evil example in the matter of fireworks. At the Marine Parade a brilliant display of fireworks was made at the public expense, and the rockets from Dundee were answered by coloured lights at Broughty Castle. But the crowning event of the joyful occasion was yet to take place.

About nine o'clock a large crowd had collected in High Street, and an attempt was made to erect a bonfire immediately in front of the Town House, material being found in the palings that then marked off the line of Reform Street, which had been laid out for feuing several years before. The police interfered with this project, but the people were not thus to be deprived of their amusement. Three of the ring-leaders of the mob—David Lyon, blacksmith; William Gunn, machine-maker; and Jonathan Hazeel, printer—conceived the brilliant idea of organising a moving bonfire.

At that time the brig *Ceres*, of London, which had been engaged for ten years in the Dundee foreign trade, was lying in King William Dock, and one of her boats had been placed temporarily on the quay. These three men, with the assistance of some of the rabble, seized this boat, dragged it up to High Street, threw in some of the palings saturated with tar and oil, and set the heap on fire. When the pile was in a blaze many willing hands dragged the fiery car along High Street and down Union Street, bringing it to a stand at the corner of Yeaman Shore. They then looked around for more fuel wherewith to feed the flames; and the demon of mischief soon provided material.

At this time there stood on the site of the West Station

the Caledonian Railway a wooden theatre that rejoiced in the dignified name of "The Royal Shakespearean Pantheon." It had not then been in existence for a year, and it had been erected by Mr. James Scott at a time when the Dundee Theatre in Castle Street had been closed as a financial failure for nearly two years. In 1834 Mr. Scott had built a wooden theatre on the site where the tenements now stand on the west side of Earl Grey's Dock; but he had been compelled to remove thence to make way for these new buildings, and had constructed the Pantheon to replace the earlier theatre. The announcement of the opening of this place was made thus in the "Dundee Advertiser" of 15th September, 1837:—

"Royal Shakespearean Pantheon, foot of Union Street, Dundee. Mr. Scott begs to return thanks for past kindness, and to announce the opening of the new Pantheon on Monday evening, 18th September, 1837, when will be presented 'Rob Roy,' with other entertainments, to conclude with 'The Illustrious Stranger.' Acting Manager, Mr. Bertram."

The Pantheon began auspiciously, for on the second week the principal stars were "Mr., Mrs., and Master H. Murray," names afterwards well-known in the history of the Scottish stage. But the re-opening of the Dundee Theatre in the succeeding November made it impossible for Scott to maintain the high standard with which he had begun, and the Pantheon—locally known as "Scottie's Show"—fell into disrepute, and became little better than one of the travelling theatres that visited Dundee Fair. Mr. J. H. Anderson, the famous Wizard of the North, was a frequent performer here. On Coronation Day, 1838, Mr. Scott had decided not to open the Pantheon, and had taken his company into the country for a holiday. When the rioters brought their burning boat to the foot of Union Street, they found the Pantheon closed; and the fiendish thought occurred to the three ring-leaders that they would find material in the wooden theatre to keep the bonfire blazing. Lyon, Gunn, and Hazeel began to tear down part of the exterior, and to throw the splinters upon the blazing pile.

The mob, which by this time numbered about 5000 persons, occupied the open ground between Union Street and the north



side of Earl Grey's Dock, and wild excitement prevailed. The idea of finding food for the flames in some public building naturally suggested that Cooke's Circus would make a magnificent blaze.

Two years before (1836) Mr. Cooke had built a large circus at the Meadows, to supersede his earlier place of entertainment in the Seagate; but this venture had proved unprofitable, and after a brief season the wooden building had been let as a warehouse. On this Coronation Day it happened to be fully stored with flax; and unquestionably it would have made a conflagration worthy of the historic occasion. But it would have been necessary to carry the crowd away from Dock Street to the Meadows, and possibly before they reached that place their courage would have oozed away.

David Lyon, who seems to have been a born leader of mobs, fully understood the difficulty, and boldly ventured upon another plan. Here was "Scottie's Show" standing ready to their hand. With his two comrades Lyon broke open the frail doors, cast out some of the loose timber to help the burning-boat bonfire, and then with a torch he ignited various parts of the timber booth called the "Pantheon," and the whole erection was speedily in flames. Then there burst forth such a conflagration as seemed worthy of the Coronation of the Maiden Princess who had just become "the Queen of bonnie Scotland."

The position of this gigantic bonfire was most dangerous. The Pantheon was only separated from the houses at the foot of Union Street by a plot of open ground and the width of Yeaman Shore. The myriad showers of sparks and lighted brands which rose from the burning mass would have been fatal to the shipping in Earl Grey's Dock had there been any wind to carry the fire in that direction. Fortunately, the night was calm, and the Temple of Thespis burned placidly away, doing no more damage to the neighbouring houses and ships than it would have done had it been lighted, as in pre-historic days, for a beacon on the top of Dundee Law.

For more than an hour the flames raged with fury, and the crowd increased to witness the spectacle until it extended far along Dock Street. About 20 night watchmen were sent in haste from the Police Office to quell the tumult and to keep the thousands of spectators in order! So far as can



be learned, the mob was very good-natured, and thoroughly enjoyed this unexpected bonfire, since apparently life was not endangered.

The police, however, were not idle nor impotent. Some of them, dressed in plain clothes, moved among the people, taking note of the leaders, and marking them well. The result was that on the following day the three moving spirits—Lyon, Gunn, and Hazeel—were apprehended, the first being charged with fire-raising, and the other two with rioting. They were remitted to the High Court, and were brought up for trial at Perth Circuit on 8th October, 1838. After a long trial they were all convicted, and were sentenced to imprisonment—Lyon for twelve months, Hazeel for eight months, and Gunn for four months. Verily they had reason to remember the Coronation of Queen Victoria!

Scott, the proprietor, was examined as a witness, and he declared that the building and scenery were worth £622. Immediately after the fire Scott claimed that sum from the Town Council, while the owners of the Ceres also lodged a claim for the value of their boat. The Town Clerks, Mr. Barrie and Mr. Christopher Kerr, resisted these claims in the Sheriff Court. A protracted litigation ensued, and it was not till October, 1840, that Mr Scott's claim was settled, having been cut down by about two-thirds of the original sum. This money was raised by a special tax, and was paid with much grumbling by the ratepayers.

Evidently the fire had not ruined Scott, for he set about the rebuilding of the Shakespearean Pantheon immediately after the fire, and was able to announce its opening in August, 1838. The bills he put forth at that time promised that "the arrangements will be conducted on the strictest moral principle, and everything that can be thought objectionable, even by the most fastidious, carefully expunged, thereby rendering the amusements beneficial to society in general." Despite these protestations, there were pious people in Dundee that thought, so far as morals were concerned, the Shakespearean Pantheon was "weel awa'." It had been purged, even as by fire.

## VIII.

## THE TAY BRIDGE DISASTER, 1879.

THE traveller of the present day who crosses the River Tay by the railway viaduct cannot fail to notice a series of stunted pillars which rise above the surface of the water, opposite the existing piers of the Tay Bridge. To the stranger these curious circular structures may be puzzling, for, as they have evidently no connection with the bridge, their purpose is mystical. To the residenter, however, these pillars are visible memorials of the great catastrophe which occurred on the night of 28th December, 1879, and which figures in history as "The Tay Bridge Disaster."

During the years that have fled since this appalling event a new generation has arisen that knows nothing about the details of the accident which thrilled the world when it occurred; and it may be useful to indicate briefly the history of the first Tay Bridge from its foundation till its fall.

A furious gale raged over the south and centre of Scotland on the evening of Sunday, 28th December, 1879, doing great damage, both in town and country. About 7 o'clock the train from Edinburgh to Dundee was due at the Tay Bridge Station, and it came to be a question with the officials and those expecting to meet passengers whether the train would venture to cross the river in the teeth of the tremendous hurricane. As time passed the hope was entertained that the wise course had been adopted, to detrain on the Fife side. Suddenly a rumour became current that the bridge had been blown down, and as several eye-witnesses stated that they had seen a shower of sparks rapidly descend from the rail-level into the river, the idea gained ground that a fearful accident had occurred. A crowd of excited inquirers speedily gathered round the signal-box at the Esplanade Station, and frantic inquiries were addressed to the signalman. He stated that the train had been signalled from the south end of the bridge at nine minutes past seven; that it entered on the bridge according to signal at fourteen minutes past seven; that at seventeen minutes past seven he looked out from his

box for its approach, but had seen nothing; and when he tried to signal to the south he found that the means of communication had been interrupted. There seemed, therefore, every probability that a portion of the bridge had fallen, taking the telegraph wires with it.

There was still the possibility that the engine-driver, seeing a gap in the bridge, had been able to pull up and make his way backward to Wormit; but there was no possible communication with the southern shore to set the question at rest. The only method of attaining certainty was for some one to go out on the bridge from the Dundee side, and to discover whether the structure had not been injured by the gale. This duty fell upon Mr. James Smith, Stationmaster, and Mr. James Roberts, Locomotive Superintendent. It was no easy task to venture upon the bridge amid the furiously raging storm, but the duty was courageously undertaken in spite of the fierce gale, which was so violent that no foot-passenger could enter on the bridge without risking his life. After great exertion and laceration of the hands, caused by clinging to the rails, these two brave men managed to crawl along the line far enough south to see in the darkness a yawning chasm where the high girders should have been. The first evidence of this disaster by which they were startled was afforded by the clouds of spray from the overflow of the broken piping of the Newport Water Supply, which was laid on the bridge course. For a brief space the moon shone out clearly from the driving clouds, and these dauntless adventurers saw beyond doubt that some of the high girders had disappeared, though they could not ascertain the extent of the disaster.

But the train with its living freight, where could it be? Through the spray Mr. Smith thought he saw a red light in the distance, which might be the lamp of the train, arrested in time to escape destruction. The two men returned with this imperfect notion to the shore, and there they found an excited crowd gathered at the Esplanade. Several persons who had witnessed what seemed to indicate disaster, narrated their experiences. One of these may be quoted as typical of many. Mr. George F. Maxwell, son of the late Bailie Alexander Maxwell, was sitting about a quarter past seven o'clock with three friends in one of the front rooms of his father's house at Magdalen Green, which was immediately



opposite the bow-string girder at the north end of the Tay Bridge. The party heard a crash, as of falling slates or chimney-cans, and one of the company, recollecting that the Edinburgh train was due about that time, suggested that they should watch its progress on the bridge in a gale sweeping with so much violence down the estuary. The lights in the room were then lowered, and he directed their gaze along the structure. The first object they noticed was the signal-light standing on the north side of the river, a short distance beyond the curve. Then appeared the lights of the train advancing along the curve of the line on the Fife side and on to the bridge, along which its progress was watched until it reached, as they thought, the third of the high girders. At this moment a gust of wind more violent than any that had preceded was experienced, and simultaneously the spectators noticed three separate streams of fire descend from the bridge elevation and disappear in the water. Total darkness followed. The fire-flashes they thought at first were embers thrown out by the engine-men; but as the train was not seen to emerge from the girders they became apprehensive of some disaster. A powerful telescope was raised, and directed towards the bridge, and the four gentlemen were appalled to discover that a decided gap was visible in the structure. Leaving the house they went up to the open space at Clarendon Terrace, Perth Road, and there, in the moonlight, they could clearly see, through a field-glass, that the whole of the central high girders had disappeared, carrying the lattice-work pillars with them. No trace of the train was visible.

Provost Brownlee and ex-Provost James Cox had been summoned to the scene, and while they were waiting at Craig Pier for the return of the ferry steamer Dundee, from Newport, word was brought to Mr. Gibb, the postmaster, that several of the mail-bags which should have been brought by the train to Dundee had been picked up on the beach at Broughty Ferry. This seemed to give conclusive evidence that the train had been engulfed in the river. At the request of Provost Brownlee, the Dundee and her Commander, Captain Methven, prepared to set out, despite the gale, to search for survivors among the ruins of the bridge. The steamer left the pier shortly after ten o'clock, and had to take mid-stream to avoid being beached. She sailed to within about a hundred yards of the



bridge, and then the nature of the accident became apparent. Not one of the thirteen large girders which spanned the navigable part of the river now remained, and all that marked their former position was the fragments of the small piers by which they had been supported. Broken and twisted girders lay in tumultuous heaps in the river, portions of them rising in fantastic forms above the surface. On the second pier which had been blown down something resembling a human figure was noticed, and as the steamer could not safely approach near, it was decided to lower a small boat.

Though the gale had somewhat abated, the river was swollen and turbulent, and it was a task only for brave sailors to face the dangers of the flood and to row among the wreckage. But volunteers were forthcoming. Captain Robertson, the Harbour-Master, Captain Edwards, and three of the crew of the Dundee, went on board the boat, and rowed up towards the ruin, being soon out of sight of those on the steamer. The small craft was pulled as close to the bridge as was deemed safe, and then her head was turned towards the north shore. She was rowed across the whole open space to the first intact pier, then through between the piers and back again on the west side of the bridge, till the standing piers on the south were reached. Sometimes the frail craft approached within a boat's-length of the remains of the structure; but a thorough examination disclosed no survivor clinging for life to the wreck, and the boat returned to the steamer, which made again for Craig Pier.

As the gale abated its fury, the clouds were driven less rapidly across the sky, and the moon shone forth brilliantly, disclosing the fearful havoc made by the storm fiend. One of those on board the Dundee thus described the scene:—

“The vessel was lying a short distance east of pier 28, and from that pier to the Fife side the entire length was evidently intact. Then pier 29 showed a small portion of the ironwork for supporting the girder. From that to pier 41 nothing was visible save the stone portions of the piers, over which the storm-driven water was breaking, marking the stretch where the girders ought to have been, like huge stepping-stones. It was a pitiful sight. It was impossible to banish from the mind the thought of the unfortunate passengers who had the misfortune to be in the ill-fated train. The weird aspect

which the remains of the bridge presented in the moonlight deepened the impression. To these poor passengers the end must have come with terrible swiftmess. It would be the work of a moment, a sudden crash, and train and girders would fall to the bottom of the storm-tossed estuary in a common ruin."

An immense crowd had gathered at the Craig Pier to await the return of the Dundee from her exploring expedition—a crowd made pathetic by the excited eagerness of those who had expected relatives or friends to arrive by this train, and who were kept in a state of agonised suspense until they could have tidings of the nature and extent of the disaster. As telegraphic communication with Edinburgh through Fife had been interrupted by the ravages of the storm, no definite intelligence could be obtained; but it was calculated that there had been about 200 persons in the train which had thus been driven to sudden destruction.

It was afterwards found that the number had been exaggerated; but long and weary months elapsed before accurate or approximate information could be obtained. It was known that two guards, the driver, and the stoker, all resident in Dundee, had met sudden death in this tragic fashion; and at least 18 passengers were known to be in the train, two of them being a bride and bridegroom returning from their honeymoon. Not until the breaking up of the railway carriages had released the bodies, and these were cast on the shore, could any definite figure be given as to the number of the victims.

Between the 9th of January and the 12th of March 40 bodies were recovered; and at a later date no less than 75 corpses had been identified. As some of the supposed passengers were never reported, nor their remains recovered, it may safely be concluded that no less than 80 persons were involved in this terrible disaster. With commendable promptitude a subscription was at once begun for the widows and children thus deprived of their relatives; and energetic measures were taken to relieve their clamant necessities. Mr. Smith, the Stationmaster, kept a systematic record of the names of those whose bodies were washed ashore, with descriptions of those that were not identified. After his death, in 1921, his widow placed this valuable book in Dundee Reference Library, Albert Institute, for preservation.

The following particulars as to the engine and train were supplied at a later date. It consisted of engine, tender, van, 3 third-class, 1 second-class, and 1 first-class composite carriages, making a total length of 224 feet 6 inches, and an approximate weight of about 115 tons. The engine had some curious adventures after the accident. When the wreckage was being cleared away the engine was found near the north portion of the gap left by the fallen girders. On 7th April, 1880, it was brought to the surface, but one of the chains snapped, and it sank again to the bed of the river. Two days afterwards it was raised once more, but the slinging chain parted, and it went down off Tayport Lights. On 11th April it was recovered and beached near the Tayport Lighthouse, from which place it was transferred to the railway, and towed on its own wheels to Cowlairst. Here it was repaired and renovated, returning soon to its former duties. Twenty years afterwards (1900) it was running between Glasgow and the Devon Valley line, though it was doubtless superseded long ago.

The news of this fearful calamity soon spread throughout Europe, and profound sympathy with the sufferers was expressed everywhere. The late Theodor Fontane, the distinguished German poet, then on the literary staff of the leading Berlin journal, wrote a sympathetic poem on the incident, which was published in his paper a few days after the occurrence. It was translated with the poet's approval by the present writer in the following verses:—

#### THE TAY BRIDGE.

"When shall we three meet again?—

At the seventh hour, on the bridge, and then

By the central pier,

I'll quench the flame

Of light and life.

From the North I came!

And I from the South!

And I from the sea!

And with linked hands we will strain, and so

The wavering bridge to the depths shall go,

And the train which is speeding along its way

At the seventh hour!

Shall be lost for aye!

Down with it!

Vain are the iron bands

Of the structure raised by man's weak hands!"



In the watch-tower on the northern side,  
The windows looked out at the foaming tide,  
And the pointsman, restless and doubting, stood  
Gazing anxiously over the turbulent flood;  
Peering and straining that light to see  
Which would tell of the train rushing speedily,  
As if shouting, "I come, 'tis my lamp, 'tis my form,  
Heedless of danger and reckless of storm!"

And the father said, "I see a light  
On the further shore, glowing clearly bright.  
Now, mother, forget your sorrowful dream!  
Our Johnnie comes! 'Tis the steady gleam  
Of the engine's lamp. Let our answer be  
The light from our brilliant Christmas Tree!  
His coming is doubly welcome this year,  
And within a brief space we shall have him here!"

Ay, 'twas the train. From the southern bank  
It dashed through the storm with clang and with clank.  
And Johnnie spake, "'Tis our bridge, I know,  
But why do we quiver and tremble so?  
More fuel, more steam! 'gainst the storm we strain,  
But as conquerors still in the strife we'll remain;  
With a rattle and ringing rush we shall be  
The victors o'er tempest, and time, and sea!

"The bridge is our pride! With laughter I think  
On the days when we journeyed from brink to brink  
Of the river, within our wretched boat,  
Crazy, outworn, scarcely fit to float.  
Yet many a merry Christmas night  
Have I spent on board, and watched the light  
High up in our home, for I well could see  
That a hearty welcome awaited me!"

In the cabin on the northern side  
The windows looked over the foaming tide;  
And the signalman restless and doubting, stood  
Gazing anxiously out on the raging flood.  
Then the wild winds' wrath became fierce and keen,  
And a flash like a thunderbolt was seen;  
It glowed o'er the water with glory bright,  
Then sank 'neath the waves—and all was Night!



"When shall we three meet again?"  
 At midnight on the mountain-chain,  
 On the lonely moor, by the wizard-tree—  
 I come,

And I.

The Mystic Three.

I call,

I, the Name.

And I call Woe!

Hei!

We shall rend each roof in two.

Vain are the bolts, the bars, the bands

In the loftiest works of men's weak hands!

## HISTORY OF THE TAY BRIDGE.

Seventy years have elapsed since it was first proposed to span the Firth of Tay by a railway viaduct. In 1854 Mr. (afterwards Sir Thomas) Bouch, Engineer of the Edinburgh, Perth, and Dundee Railway Company, propounded his scheme for bridging the Forth and the Tay. The Directors were amazed at the boldness of his conception, and he was looked on as a dreamer of impracticable dreams. He did not despair of ultimate success, so far as the Tay Bridge was concerned; and in October, 1863, a meeting was held in the office of Mr. (afterwards Sir Thomas) Thornton, at which Provost Parker and a few leading citizens were present. Just a year after that date it was announced that the promoters intended to apply for a Bill to sanction the erection of a bridge between Newport and Craig Pier. The proposal was resisted by the Town Councils of Dundee and Perth, the Harbour Trustess of Dundee, and the Scottish Central and Scottish North-Eastern Railways, now represented by the Caledonian Railway. Alternative schemes were suggested by Mr. Bouch, and at length, after a long struggle, the Bill received the Royal Assent on 15th July, 1870. Operations were begun on 22nd July, 1871, when the first stone of the bridge was laid on the Fifeshire side, and on 25th September, 1877, the first train passed along the Tay Viaduct. The bridge was formally opened for traffic on 31st May, 1878. Its history was a brief one, for on 28th December, 1879, it was destroyed in the manner described, and remained a ruin for several years.

The present bridge was designed on a more elaborate scale for a double line of rails instead of the spider-like single line erected by Sir Thomas Bouch. The designers were Messrs. Fowler & Barlow, London, and the work was executed by Sir William Arrol, Glasgow. The building was begun on 9th March, 1882, and on 11th June, 1887, the first train proceeded along the bridge, and it was opened for traffic nine days afterwards. The only relics of the earlier structure are the pillars which still rear their heads above the water to mark the place haunted by many sad memories. It has recently been proposed to utilise these for a foot-bridge between Dundee and the Fife shore.

## IX.

## "DRUMMOND CASTLE."

TRUE STORY OF THE MANSION IN THE  
GREENMARKET.

THE curious old building on the west side of the Greenmarket, which was locally known as Drummond Castle, and also as the Old Custom House, has had a strange history. The date of its erection, the name of its builder, the history of his descendants, and the records of all the various proprietors of the structure since it was built, have all been traced from veritable documents preserved in the Charter Room of the Town House. Yet so readily do people believe fiction rather than fact that there are few in Dundee who do not accept the baseless tradition that this was the residence of Lord Drummond in 1488, and was then called "Drummond Castle," though the mansion was not built for a hundred years after that date, and was not called Drummond Castle till 1855. That name was devised by the late James Grant, the novelist, and was first used by him in his novel of "The Yellow Frigate," which was written seventy years ago.

It is strange to find that the inventions of a novelist regarding a locality, though unsupported by facts, will take a stronger hold on the popular imagination than will genuine history. The creatures of Sir Walter Scott's fancy, for instance, though they never had any real existence, are regarded by many as historical personages, and their houses are to be found in various parts of Scotland. Ellen's Isle at Loch Katrine owes its name to "The Lady of the Lake;" a few years ago an old house in the Saltmarket of Glasgow was regularly pointed out to the visitor as Bailie Nicol Jarvie's house; while the residence of Catherine Glover, "The Fair Maid of Perth," is piously preserved in the Fair City.

In the same way, Lord Drummond and his five fair daughters are believed to have lived in Drummond Castle, though there is no better foundation for this supposition than the introduction of the place into a comparatively recent novel. There never was a Drummond who possessed this mansion; the Lord Drummond of the story had no house in Dundee; James IV. never wooed the fair Margaret Drummond within its walls; and the whole story is the fabrication of a clever and popular writer of romance.

James Grant was born at Edinburgh in 1822, and died there in 1887. For three years he served as a private in the 62nd Regiment, and he began to write novels of military life while so engaged. His “Romance of War,” published in 1845, was one of his great successes; and during his literary career he produced 56 novels, besides memoirs of notable Scotsmen, a record of British battles on land and sea, and a history of Old and New Edinburgh.

His novel “The Yellow Frigate,” as appears from his own statement therein, was written in 1855. As he found it needful to locate his heroine in Dundee, he selected the Greenmarket mansion as the residence of her father, Lord Drummond. But he did not name it “Drummond Castle;” that designation was invented by his readers. Grant merely refers to it as “an old mansion,” though the description of the house is evidently that of the mansion as it was fifty years ago:—

“This mansion is large and square, like a great bastel-house; and at three of its corners has broad, round towers, which are strong enough to turn cannon-balls. The whole superstructure rests on an arcade composed of finely-moulded elliptical arches, that spring from fluted pilasters. Its arcade is partly sunk into the earth, and it is further diminished of its original height by a slate roof sloping down upon the walls, which of old were surmounted by a bartizan, from whence a view could be obtained of the river to the south, and that quaint old thoroughfare to the west, where, two hundred years before, the schoolboy, William Wallace, slew the son of Selby, the English Governor; but to the north the lofty mansions of the Nethergait shut out the view.”



From his imagination the novelist has evolved the numerous stone panels on the building bearing the coat-of-arms of the Drummonds of Stobhall. No such panels ever existed, neither in 1488 when Lady Margaret Drummond was supposed to live there, nor in 1855 when James Grant looked on the building.

Dismissing this youthful legend, which is less than a century old, let us look at the plain facts of the case as proved by documents. In 1586 the ground upon which this mansion stands was described as "waste land," with the "sea-flood" as the boundary where Butcher Row was afterwards constructed. On 30th March in that year, John Peirson acquired this ground from the Town Council. He had been entered as a burgess in 1574, and was then described as a sailor, the second son of Walter Peirson, merchant; but he had become a man of means in the intervening 12 years; had entered the Town Council, and was Treasurer of the burgh in 1588. Having married Margaret Carnegie, daughter of John Carnegie of that ilk, he decided to build a mansion worthy of his honourable position.

At that time Sir James Scrymgeoure, Constable of Dundee, was busy reconstructing Dudhope Castle; and John Peirson—just like a modern millionaire—determined that his house in the Greenmarket ("at the Shore," it was then called, for the ground of the Greenmarket had not been reclaimed from the river) should reproduce some of the architectural features of Dudhope Castle. A glance at the view of the house as it was originally constructed will show the main points of resemblance. The circular towers at the north, south, and west corners form a fair copy of Dudhope Castle, and are placed in the same relation to the main building. In the style of masonry and the general arrangement, the two mansions are evidently of the same period; and it is by no means unlikely that the masons employed by Sir James Scrymgeoure to rebuild Dudhope Castle were engaged by John Peirson to erect his new mansion at the Shore.

An indirect piece of evidence as to the date of this mansion is still extant. In the Museum of Antiquities in the Old Steeple there is a carved stone which has probably been over the fireplace in the hall of John Peirson's house. It bears the arms of Peirson marshalled with those of Carnegie, and the





“ Drummond Castle,” as at first constructed.

date 1591, the initials being J. P. and M. C., for himself and his wife. This shows that the lower part of the mansion was completed in that year.

When the house was being demolished, there was found a gablet over one of the windows which had the incomplete date “160—,” and thus it is probable that the construction of this massive building occupied not less than nine years. The restoration of Dudhope Castle was completed by Sir James Scrymgeour in 1600, as is shown by the date over a window there. Plainly, therefore, James Grant’s notion that the Greenmarket mansion was an old building in 1488 is quite ridiculous.

John Peirson, whose magnificent mansion must have been the wonder of the time, became a very important personage in Dundee. We have already seen that he was Treasurer for the burgh in 1588—a very prominent office in those days—and he became a man of property when he acquired the lands of Easter Liff from his father-in-law, John Carnegie. For many years he acted as Shore-master, an office then equal to the whole of the functions of our present Harbour Board. He was Bailie from 1604 to 1610, and when James VI. in 1607 tried to dictate to the burgh as to the men to serve as Town Councillors, and named John Peirson as one, his Radical instincts prompted him to decline the honour until the electors had approved of the King’s choice.

Bailie John Peirson had two sons, the younger of whom, James Peirson, merchant, was made a burgess on 26th November, 1616, his father being then dead. In that year James was chosen Bailie, in the following year Kirk-master, and he was Dean of Guild (with a seat in the Council) from 1617 till 1631. At the latter date he retired, and remained as a citizen till 1642, when he again entered the Council, and in the following year, 1643, he was unanimously elected Provost, and held that office (being elected annually) till 1646.

This was the period of the Civil War, and during all the time of his Provostship he had to keep the town in a state of siege. In 1644 he represented Dundee and the Forfar Burghs in the Scottish Parliament. His only son, John Peirson, had died in 1639, and when the ex-Provost himself departed in 1648, he left five daughters to heir his great estate.

Being a just man, Provost Peirson decided that his property



should be equally divided amongst his five daughters. He arranged that the Greenmarket mansion should be held in five portions by them. Elspeth, Euphemia, Barbara, and Joneta were married to leading burgesses of Dundee, but Anna died unmarried. The descendants of the four married sisters held the property until 1734, when the heirs at that time sold the house in the Greenmarket to Andrew Ferguson, merchant. He was Town Councillor, Bailie in 1723-28, and again in 1740-41, and he and his wife, Margaret Abercrombie, resided in the mansion for many years, decorating the interior in the best style of the period. His grandson, John Ferguson of Jersey, heird the property in 1803, and at John's death in that year his brother Philip, shipmaster in Calcutta, became heir.

In 1808 John Duff, jun., merchant, acquired the house, and the Duffs were proprietors until 1867, when the late Bailie John S. Bradford purchased the mansion as a store. From Bailie Bradford it was acquired by the Town Council in 1878, and now the formation of Whitehall Crescent has demolished all, even the Greenmarket frontage.

After the death of Bailie Andrew Ferguson about 1750, the mansion ceased to be occupied as a residence. His heir was living in Jersey, and part of the house was rented to the Government and used as the dwelling and office of the Collector of Customs. Hence it came to be known as the Custom House, and to this day it is often called "the Old Custom House."

It has been stated that while Robert Middleton was Collector at Dundee about 1730, his second son, Charles Middleton, afterwards the famous Admiral Lord Barham, was born here; but this story cannot be true, as Bailie Ferguson was then the occupant. When the new Custom House was erected in Dock Street, the Greenmarket mansion ceased to be used by the Collector.

While some of the chimneys in the house were being repaired in 1808, when Mr Duff came into possession, there were found, embedded in the mortar, nearly 200 pieces of silver coin belonging to the mintage of James VI. and Charles I. This money had probably been secreted here by Provost Peirson during the troublous times of the Civil War, and it seems likely that he had not told his five daughters of the place of concealment. At least it is certain that for 160 years this

valuable hoard lay undiscovered ; and the successive purchasers did not know that they were buying hidden treasure along with the stone and lime.

Within a few years the last vestige of this historic mansion was swept away. Even when “fallen from its high estate,” there were romantic memories of civic heroes long departed still clinging about this ancient structure. It came into existence while Scotland was an independent Kingdom, and it witnessed vast changes in social and political life during its long and varied history. The last portion of the structure was demolished in 1920 to make way for the Caird Hall.

## X.

## DUNDEE'S TREE OF LIBERTY.

**I**T was during the American War of Independence that the fashion of commemorating a great historical event by planting a tree was introduced. Previous to the Declaration of Independence in 1770, the planting of a sapling was frequently performed as a friendly act when an eminent personage visited a locality. Thus about 1870 the then Countess of Airlie formed in the Pleasance at Cortachy Castle what is known as "the Garden of Friendship," which consists of trees planted there by distinguished visitors, each tree bearing the name of the planter. When H.R.H. the Duchess of Edinburgh visited Cortachy in 1881 she added a young sapling to this garden, which is now a goodly tree.

This custom was a survival from a much earlier time. So far back as the period of Mary, Queen of Scots, records are found of many trees—generally yews—which that hapless Sovereign planted at the various Castles where she resided during her brief and chequered career in Scotland. The American "rebels," therefore, were merely following a Royal custom when they planted their Trees of Liberty to mark the date when they threw off the yoke of Great Britain.

When the French Revolution broke out in 1789, the people took the Americans as their models in many things; and among other fashions adopted in France there was this of planting a Tree of Liberty in every city and town which had joined in the national movement. The idea rapidly spread to this country, and the sympathisers with the French Revolutionists took to tree-planting as an inoffensive method of marking their approval.

In 1789 there was formed in Dundee a Society which was called the Whig Club, the President being the famous George Dempster of Dunnichen, who was long member of Parliament for the Forfar Burghs (including Dundee). On 4th June, 1790, the President, in name of the Whig Club, transmitted

an Address to the National Assembly at Paris, directed to President Trielhard, expressing approval of the Revolution.

It should be borne in mind that this occurred two years before the execution of Louis XVI.; and the Address was couched in terms of sincere loyalty to George III., the reigning Sovereign. One passage may be quoted from this little known document.

"Deign, sir, to make this Address acceptable from the obscure members of a Club, instituted for the purpose of commemorating the recovery of our liberty, and of preserving and improving our political constitution. We are inhabitants of a country to which Nature has not been bountiful. Our climate is cold, and our country mountainous. Yet since public liberty has been restored to us by the Revolution, our cities become daily more populous, our inhabitants more industrious, our mountains less barren, and our whole country more wealthy and happy. Our Sovereign, the guardian of our Constitution and the father of his people, is almost an object of our adoration; and our nobility and clergy form useful and illustrious members of a State where all are subject to the laws."

The reply of President Trielhard also expressed devotion to the King of France. The Reign of Terror had not yet begun. But another Society soon arose in Dundee, called "The Friends of Liberty," which had not such limited aims as the Whig Club. The members were chiefly tradesmen and labourers, and they held their meetings in the Berean Meeting House, in the Methodist Close, Overgate.

One of the leading members was George Mealmaker, who was tried in 1798 for sedition, and sentenced to fourteen years' transportation. "The Friends of Liberty" were especially active in 1793, and it was then that they determined to plant a "Tree of Liberty" at the Cross of Dundee. The story was narrated by James Myles in his "Rambles in Forfarshire," published in 1850; and the description of the scene was obtained by him from an eye-witness.

One Wednesday night, in the early months of 1793, a band of the "Friends of Liberty" assembled at the Cross of Dundee, and marched out the Perth Road to Belmont, the mansion which had recently been erected by Mr. Thomas Bell. The ringleader was a shoemaker called Downie, and under his



direction a young ash sapling was pulled up in the grounds of Belmont, and carried triumphantly back to the Cross. Willing hands soon prepared a place for planting the Tree of Liberty, and the branches were decorated with ribbons, oranges, half-penny rolls, and biscuits. In the centre of the Marketgait (High Street) a huge bonfire was erected and set on fire, and around it the frenzied people danced in a kind of Scottish Carmagnole.

At that time the famous Alexander Riddoch was in his second term of Provostship. He was a native of Crieff, and had settled as a cloth merchant at Dundee about 1760, entering the Town Council in 1776, and serving as Treasurer, Bailie, and Provost. From 1788 till 1818 (when he retired) he was the "boss" of the Council, for though he alternated the office of Provost with other Councillors he was always emphatically "the stang o' the trump."

The turmoil at the Cross on this occasion brought out the Provost, and though an ardent Tory, he was compelled by the crowd to march three times bare-headed round the Tree of Liberty, shouting "Liberty and Equality for Ever!" This conciliatory attitude delighted the rioters. It is stated that Riddoch said to the ringleaders, "Leave the tree to me, lads, and I'll put a ring round it before the morn's nicht." They did not understand that he meant a ring of armed men; but he had already sent word to Perth for a detachment of soldiers.

As the bonfire began to wane, the crowd looked round for more fuel. At that time Morran's Inn stood across what is now Reform Street; and thither the rioters went, designing to bring out Morran's coach to feed the flames. The wily landlord offered rather to give them the coals in his cellar as more suitable for their purpose, and the proposal was accepted. Thus, amid the exultation of the mob and by the fantastic blaze of the bonfire, the Tree of Liberty was inaugurated. But on Thursday morning the military arrived, and the crowd attracted to the Cross by the novel scene was speedily dispersed by the soldiers.

The Provost now appeared as the personification of law and order. He decided that the Tree should be removed, but he wisely delayed until the following Sunday. "During divine service," wrote Myles in 1850, "the Tree of Liberty which had been planted amidst extravagant rejoicings, and with all the

honours which an excited crowd, drunk with political enthusiasm, could bestow, was contemptuously torn down, and, as a double mark of ignominy, it was thrown into the 'thief's hole,' and afterwards quietly taken back to its parent soil, and planted on the west side of Belmont House gate, where it is still to be seen, having now attained a goodly growth and respectable age."

More than a century and a half has since been added to its age, and it is now a very prominent landmark.

For many years the Tree of Liberty was suffered to grow, undistinguished by any special mark; and the inhabitants had long forgotten all about the riot of 1793, when the incident was strangely brought to remembrance. In 1834 the Perth Road was widened at the foot of Airlie Place, and a portion of the Belmont ground was encroached upon, so that the Liberty Tree was brought quite to the side of the street. The Surveyor diverted the line of the road slightly, and thus "spared the symbol dear."

Attention was thus called to the origin of this historical relic, and in "Tait's Magazine" for May, 1835, the following poem appeared anonymously, dated from Brechin. It professes to give the true version of the story:—

#### THE CORSE O' DUNDEE.

When France was beginning her noisy career,  
An' settin' the despots o' Europe asteer,  
Pray, wha hasna heard o' the muckle bum-bee  
That bizzed i' the bonnets o' bonnie Dundee?

#### Chorus—

Then hey for the bonnets o' bonny Dundee,  
The lads wha bestirred in the year "ninety-three;"  
An' hey for Lord Grey, an' the fruit o' the tree  
They planted lang syne at the Corse o' Dundee.

They hied to a plantin' an' pu'd a young ash,  
As green as the holly, as straight as a rash;  
The callants they kirsten'd it "Liberty's Tree,"  
An' they planted it deep at the Corse o' Dundee.

The Bailies cam' rinnin', clean oot o' their wit,  
An' swearin' like fiends frae the bottomless pit,  
They wad string to a lamp-post, whae'er they might be,  
Wha had planted the ash at the Corse o' Dundee.

The constables threatened to skiver the mob;  
The deacons a' thought it a very bad job;  
An' they swore Robbie Spear and his myrmidons three  
Wad be dancin' a reel at the Corse o' Dundee.

Auld Dugald M'Dhu, wi' a wild Hielan' grunt,  
She hew'd at the tree till her halbert was blunt,  
An' she swore "siccan hullions she nefer did see,  
Tat wad dare be tisgracin ta Corse o' Dundee."

But the Provost was wise, an' his word was a law,  
His finger had muckle mair sense than them a';  
"Be cannie, fule bodies, an' touchna the tree  
That the lads ha'e set up at the Corse o' Dundee.

"It's naething but daffin'—the lads need a play—  
I'm sure, if they like it, I wush them great joy,"  
But he sent for the sodgers, encamp'd on the lea,  
To clear wi' their muskets the Corse o' Dundee.

Be-plaided an' kilted, the Highlanders came,  
Their bayonets gleaming, their blood in a flame;  
An' in thirty-five minutes the bonnie ash-tree  
Was lodged i' the muckle black hole o' Dundee.

In double quick time did the Kilties career;  
The weavers an' hecklers, they scampered like deer;  
The verra auld wives to their garrets did flee,  
An' quietude reigned at the Corse o' Dundee.

But "Wee Patie Bridie," a barber by trade,  
His verra best bow to the Provost he made;  
Wi' a "Lang leeve yer honour! just gi'e me the tree—  
Never mair it sall stand at the Corse o' Dundee."

The Provost was sharp, but the Provost was shrewd,  
He likeditna to needlessly anger the crowd;  
"Gae till the black hole an' tak' oot the bit tree,  
An' ne'er let me see't at the Corse o' Dundee."

The barber had prudence; an' when it was dark,  
He planted the ash in a bonny green park;  
An' there it has flourished sin' "ninety an' three,"  
Revered by the bonnets o' bonny Dundee!

Chorus—

Then hey for the bonnets o' bonny Dundee,  
The lads wha bestirred in the year "ninety-three;"  
They ha'e reapit sinsyne o' the fruit o' the tree  
That was plantit lang syne at the Corse o' Dundee.

This venerable tree has now passed the 140th year of its age, and there is a tablet built into the wall beside the tree.

A word may be said about Thomas Bell, whose name thus became accidentally associated with the Tree of Liberty. He belonged to a Fifeshire family, being the third son of John Bell of Kilduncan and Bonnytown, in the parish of Kingsbarns. He was born on 19th July, 1759, and came early in life to Dundee, where he was an apprentice to Alexander Riddoch. In 1782 he was admitted a Burgess.

At this time Mr Bell entered into partnership with Mr Alexander Balfour, and founded the firm of Bell & Balfour, flax-spinners. Both partners were long members of the Town Council, and both of them filled the Provost's chair. Mr. Bell was Councillor in 1791, Treasurer in 1795, and Bailie from 1796 till 1803. He retired from the Council in 1804, but in 1819 he entered it again, was Bailie in 1821-27, and Provost (as successor to Mr. Balfour) in 1828-29. He died on 9th January, 1844, in the 85th year of his age. These two Provosts are commemorated in the names of Bell Street and Balfour Street.



## XI.

## THE TRAGEDY OF COSSACK JOCK, 1815.

THE history of the Tay Ferries can be traced back for nearly five centuries. The ferry betwixt Sea-Mylnes, on the Fife shore, and Dundee was a portion of the Barony of Naughton in early times, and is referred to as such in a charter, dated 1481. The lairds of Naughton had control both of this ferry and of the one at Ferry-Port-on-Craig (Tayport) for a long period.

In 1639 certain Forfarshire lairds were appointed, along with the Town Council of Dundee, to supervise the Ferries, and "sie that guid and sufficient boats be put thereon," and in 1641 the Provost and Magistrates of Dundee were made Admirals-Depute of the Tay, with control of the two Ferries.

The landing-place on the Dundee side from a very remote period was at St. Nicholas Craig, which was almost on the site of the present Craig Pier. The position of the Tay Ferries at the beginning of the 19th century is very clearly shown by the minute regulations made by the Justices of the Peace of Forfar and Fife, and detailed in the "Dundee Directory for 1809." There were four stations on the Fife side—Woodhaven, Newport, Balmerino, and Ferry-Port-on-Craig,—and two on the Forfar side—Dundee and Broughty Castle.

The regulations provided that "there must be always three stout boats and three pinnaces belonging both to the Dundee and Woodhaven side; and two boats and three pinnaces at the east water or Newport ferry; that one of the boats at each of the Dundee and Woodhaven ferries must be at least 20 tons carpenter's measurement, and the remaining two at each of these ferries must not be under 14 tons burden. At the Newport ferry they shall not be under from 10 to 12 tons; each of the pinnaces not to be under 22 feet in length at the keel, and at least seven feet broad."

Each of these boats and pinnaces had to be manned by "at least two good ferrymen and a boy," and it was stated that "on all occasions, night and day, these boats must cross, except when it is blowing so hard that a seafaring neutral man,

not belonging to the passage, gives it as his opinion that it is impracticable." The fare for each passenger was threepence, and it was provided that no extra fare should be charged if, by stress of weather, the boat had to land at Balmerino or Ferry-on-Port-Craig instead of Newport or Woodhaven.

These were the conditions of the Tay Ferries a hundred and twenty years ago. In 1819 Trustees were appointed by Act of Parliament to manage the Ferries, and there were then 12 boats and 17 pinnaces employed. In 1821 the twin steamer Union was put on the Dundee route, and was replaced in 1823 by a similar vessel called the George IV., which was built at Perth and engined by Messrs J. & C. Carmichael, Dundee.

Twenty years afterwards (1843) the Scottish Central Railway Company—afterwards amalgamated with the Caledonian Railway Company—obtained control of the Ferries, and worked them till 1873, when, for a money payment, the Ferry at Dundee was acquired by the Harbour Trustees. The Broughty Ferry and Tayport Ferry has since been worked (not very satisfactorily) by the North British Railway Company; but the Tay Bridge route has diverted the Edinburgh traffic from it, and it is now of comparatively little importance.

It was while the pinnaces plied on the Tay Ferries that the incident occurred which is now to be narrated. At that time one of the most popular among the Masters of the pinnaces was a certain John Spalding, who was called "Ballad Jock" and "Cossack Jock" because he had been in the habit of singing ballads through the streets of Dundee directed against Bonaparte, who was then the bugbear of the nation. In 1815, —the year that witnessed the overthrow of Napoleon at Waterloo—Jock's career was terminated in a melancholy manner. The incident occurred on Sunday, 28th May, 1815, and is thus recorded in the "Dundee Advertiser" of the following Friday :—

"On Sunday forenoon one of the pinnaces plying between Dundee and Newport, in Fife, suddenly sank about half a mile from the latter port, and out of 23 or 24 persons supposed to have been on board, only seven were saved. From some of the people who escaped, and others, we have with great pains collected the following details of this very sad disaster :—

"About a quarter past ten o'clock the pinnace sailed from the Craig Pier, but, as the tide was ebbing, and the sand bank, which now forms an opposing barrier to the passage, was uncovered, it was necessary to make the circuit of its eastern extremity; and, for that purpose, the wind blowing strong from the south-east, the boatman set her alongshore till she was opposite the East Harbour. Here those cumbrous and unmanageable sails called lug-sails were hoisted. The main lug-sail was first reefed, but after some altercation among the seafaring people on board, the reefs were let out and the whole canvas unfurled. A yawl belonging to Ferry-Port-on-Craig, with one man on board, was fastened by a tow-rope to the stern of the pinnace to be towed across the river.

"In this manner and under a heavy press of sail the pinnace weathered the bank, when, having shipped some water, a fresh altercation ensued about taking in the mainsail. In a few minutes afterwards the person at the helm rose, either to clear the yawl's tow-rope from the outrigger of the pinnace's mizzen, or to assist in taking down the mainsail—it is uncertain which—and, having accidentally put the pinnace too broad from the wind, she instantly filled with water, and went down by the stern. At this moment the man in the yawl, with admirable presence of mind, cut the tow-rope which attached her to the pinnace, and not only preserved his own life, but afforded the means of saving the seven persons from the pinnace."

It happened at the time of this accident that Tom Hood, the famous humorist,—then a lad of 16 years—was in Dundee on a visit to his relatives. The circumstances of this visit are fully detailed by the late Councillor Elliot in his valuable book entitled "Hood in Scotland." Hood's father—also named Thomas—belonged to Errol, and served his apprenticeship as a bookseller in Dundee, before he removed to London, where he started as partner in the firm of booksellers named Vernor & Hood. His son, the poet, was born at London in 1799, and as he was delicate he was sent to visit his aunt, Mrs. Keay, who resided with her husband, Captain Keay, in a tenement in the Nethergate, opposite the Old Steeple, which was removed many years ago.



Mrs. Keay had summer lodgings at Newport, and young Tom Hood had thus often to cross the ferry in the pinnaces of the period, and made the acquaintance of many of the boatmen. It is probable that he would be attracted specially towards "Cossack Jock," and there is proof that the terrible accident related made a deep impression on Hood. Fourteen years afterwards, when Hood had become a prominent literary man in London, he published an account of the catastrophe in his volume called "Hood's Own," narrating an incident which he had apparently witnessed. As this story is not widely known, it may here be reprinted, as giving a vigorous sketch of life in Dundee over a hundred years ago:—

"To keep without a reef in a gale of wind like that Jock was the only boatman on the Firth of Tay to do it. He had sail enough to blow him over Dundee Law. She's emptied her ballast and come up again all standing—every sheet was belayed with a double turn.

"I give the sense rather than the sound of the foregoing speeches, for the speakers were all Dundee ferry-boatmen, and broad Scotchmen, using the extra-wide dialects of Angus-shire and Fife.

"At the other end of the low-roofed room, under a coarse white sheet, sprinkled with sprigs of rue and rosemary, dimly lighted by a small candle at the head and another at the foot, lay the object of their comments—a corpse of startling magnitude. In life, poor Jock was of unusual stature, but stretching a little, perhaps, as is usual in death, and advantaged by the narrow limits of the room, the dimensions seemed absolutely supernatural.

"During the warfare of the Allies against Napoleon, Jock, a fellow of some native humour, had distinguished himself by singing about the streets of Dundee, ballads (I believe his own) against old Boney. The nickname of "Ballad Jock" was not his only reward; and the loyal burgesses subscribed among themselves, and made him that fatal gift, a ferry-boat, the management of which we have just heard so seriously reviewed.

"The catastrophe took place one stormy Sunday, a furious gale blowing, against the tide, down the river—and the Tay is anything but what the Irish call 'weak tay' at such seasons.



In fact, the devoted Nelson, with all sails set—fairweather fashion—was caught aback in a sudden gust—after a convulsive whirl, capsized, and went down in forty fathoms, taking with her two-and-twenty persons, the greater part of whom were on their way to hear the celebrated Dr. Chalmers—even at that time highly popular—though preaching in a small church at some obscure village (I forget the name) in Fife.

“After all the rest had sunk in the water, the huge figure of Jock was observed clinging to an oar, barely afloat, when some sufferer, probably catching hold of his feet, he suddenly disappeared, still grasping the oar, which afterwards springing upright into the air, as it rose again to the surface, showed the fearful depth to which it had been carried.

“The body of Jock was the last found; about the fifth day it was, strangely enough, deposited by the tide almost at the threshold of his own dwelling at the Craig, a small pier or jetty frequented by the ferry-boats. It had been hastily caught up, and in its clothes laid out in the manner just described, lying, as it were, in state, and the public, myself one, being freely admitted, so far as the room would hold, it was crowded by fishwives, mariners, and other shore-hunters, except a few feet next the corpse, which a natural awe towards the dead kept always vacant. The narrow death’s door was crammed with eager listening and looking heads, and by the buzzing without there was a large surplus crowd in waiting before the dwelling for their turn to enter.

“On a sudden, at a startling exclamation from one of the nearest to the bed, all eyes were directed to that quarter. One of the candles was guttering and spluttering near the socket—the other just twinkling out and sending up a steam of rank smoke—but, by the light, dim as it was, a slight motion of the sheet was perceptible, just at that part where the hand of the dead mariner might be supposed to be lying at his side!

“A scream and shout of horror burst from all within, echoed, though ignorant of the cause, by another crowd from without. A general rush was made to the door, but egress was impossible. Nevertheless, horror and dread squeezed up the company in the room to half their former compass, and left a far wider blank between the living and the dead!

"I confess that at first I mistrusted my sight ; it seemed that some twitching of the nerves of the eye, or the flickering of the shadows thrown by unsteady flame of the candle might have caused some optical delusion ; but after several minutes of sepulchral silence and watching, the motion became more awfully manifest, now proceeding slowly upwards, as if the hand of the deceased, still beneath the sheet, was struggling up feebly towards the head.

"It is possible to conceive, but not to describe, the popular consternation—the shrieks of the women, the shouts of the men—the struggles to gain the only outlet, choked up and rendered impassable by the very efforts of desperation and fear! Clinging to each other, and with ghastly faces that dared not turn from the object of dread, the whole assembly backed with united force against the opposite wall with a convulsive energy that threatened to force out the very side of the dwelling—when, startled before by silent motion, but now by sound—with a smart rattle something fell from the bed to the floor, and, disentangling itself from the death drapery, displayed—a large pound crab !

"The creature, with some design, perhaps sinister, had been secreted in the ample clothes of the drowned seaman ; but even the comparative insignificance of this apparition gave but little alleviation to the superstitious horrors of the spectators, who appeared to believe firmly that it was only the Evil One himself transfigured. Whenever the crab straddled sidelong, infirm beldame and sturdy boatmen equally shrank and retreated before it—ay, even as it changed places, to crowding closely round the corpse itself rather than endure its diabolical contact.

"The crowd outside, warned by cries from within of the presence of Mahound, had by this time retired to a respectful distance, and the crab, doing what herculean sinews had failed to effect, cleared itself a free passage toward the door in a twinkling, and with natural instinct began crawling as fast as he could clapper claw down the little jetty before mentioned that led to his native sea.

"The Satanic Spirit, however disfigured, several everywhere distinctly recognised. Many at the lower end of the Craig leapt into their craft, one or two into the water, while others crept as close to the verge of the pier as they could, leaving a

thoroughfare—wide as ‘the broad path of honour’—to the Infernal Cancer.

“To do him justice, he straddled along with a very unaffected unconsciousness of his own evil importance. He seemed to have no aim higher than salt water and sand, and had accomplished half the distance towards them, when a little, decrepit, poor old sea-roamer, generally known as Creel Katie, made a dexterous snatch at a hind-claw, and before the Crab Devil was aware, deposited him in her patchwork apron, with a ‘Hech, sirs, what for are ye gaun to let gang siccan a braw partan!’”

“In vain a hundred voices shouted out—‘Let him bide, Katie; he’s no cannie.’ Fish or fiend, the resolute old dame kept a fast clutch of her prize, promising him, moreover, a comfortable simmer in the mickle pat, for the benefit of herself and that ‘puir silly body, the gudeman,’ and she kept her word. Before night the poor Devil was dressed in his shell, to the infinite horror of all her neighbours. Some one said that a black figure with horns and wings and hoofs and forky tail—in fact, old Clooty himself—had been seen to fly out of the chimney. Others said that unwholesome and unearthly smells, as of pitch and brimstone, had reeked forth from the abominable thing, through door and window.

“Creel Katie, however, persisted even to her dying day and on her death-bed that the crab was as sweet a crab as ever was supped on; and that it recovered her old husband out of a very poor low way,—adding, ‘And that was a’ thing, ye ken; the Deil a Deil in the Dub o’ Darkness wad hae for sic a gude man, and kirk-going Christian body, as my ain douce Davie.’”

Here ends Tom Hood’s account of this strange incident. It may be mentioned as a corroboration of the event that there was recently a lady in Tayport who remembered that in the days of her childhood she met a woman who had been present at the scene, and gave graphic details of the excitement caused by the Demon Crab. A very important result of the tragic occurrence was the founding of the Dundee Orphan Institution, which took its origin from the voluntary provision made for the children and dependants of the hapless passengers whose lives were lost in the wreck. This is now one of the largest and most successful of the Charitable Institutions in Dundee.



## XII.

## ROMANCE OF THE MORGAN FAMILY.

## THE STORY OF THE MORGAN HOSPITAL.

THE veritable story of the Morgan family in Dundee is quite as romantic as any tale of domestic vicissitudes ever imagined by a novelist. The last survivor, John Morgan, died in 1850, and though the name has been marked indelibly upon the annals of Dundee, it is probable that few of the present generation of Dundonians know the details of this romance in real life.

The name was long preserved in the designation of the Morgan Hospital, founded by John Morgan, and it still survives in the Morgan Academy, the latest development of that Institution; but there are many to whom "Morgan" is but a name with no special significance, and the present curious story will prove interesting to them.

John Morgan, Dundee's munificent benefactor, like many a self-made millionaire, had a great desire in his declining years to trace his origin back to some noble ancestor. He had the idea that the Morgans came from France to Scotland with the Maules, about 1130, and while the latter family settled at Panmure, the Morgans became proprietors of Glenesk, and were there in 1296 when Edward I. marched through Scotland.

Another branch of the Morgans settled in Bohemia and in France, and John Morgan strove to claim kinship on the one hand with General William Morgan, in the service of Louis XV. of France, and on the other with the Clan Mackay, now represented by Lord Reay. The relationships were never established, though they serve to show his desire to make his name memorable. As a matter of fact, however, John Morgan could trace his ancestors back to the close of the seventeenth century.

The earliest direct ancestor of John Morgan who can be traced was his grandfather, John Morgan, who was born about 1680,



and was tenant of the Mains of Gardyne, in the parish of Kirkden, Forfarshire. He was married in 1708 to Euphan or Euphemia Dakers, and he removed to the farm of Seaton, St. Vigean's parish, in 1718; but misfortune dogged his steps, and in 1724 he was tenant of Ravensby in Barry parish.

He afterwards resided at Wallace Craigie, near Dundee. He was there in 1728, and ill fate still pursued him. In 1729 he was imprisoned for debt in the Tolbooth of Dundee; and he died in 1732 a "broken man," leaving his widow with one son, Thomas, only eight years of age. Mrs Morgan occupied a cottage in Carnoustie after her husband's death, but it was destroyed by fire in 1737, and she then settled in Dundee.

By this time the lad, Thomas Morgan, was old enough to learn a trade, so he was apprenticed to a kinsman, William Morgan, brewer, and was entered as a "master maltman" in May, 1756. He opened a tavern in Kirk Wynd—the narrow passage which runs from Thorter Row to Tally Street—and was so prosperous that on 1st December, 1757, he married Janet Cramond, who was ten years younger, but who proved herself to be an industrious and economical housewife.

During their 42 years of married life Thomas Morgan and Janet Cramond had three sons and four daughters. The eldest son, Robert, and the eldest daughter, Janet, died in infancy; another daughter, Helen, survived till December, 1793; so that the story of the Morgan family centres around the four other children. John Morgan, the hero of this tale, was born on 28th February, 1760. His next brother, Thomas, was born on 17th March, 1764; but Matilda and Agnes were much younger, the birth-year of the latter being 1781.

Thomas Morgan, maltman and vintner, was esteemed by his fellow-townsmen as an upright, honest man; and for a considerable time he was prosperous. His two surviving sons were taught at the Dundee Grammar School, and when John had finished his school-days he was apprenticed to a lawyer in Dundee, while Thomas was placed with a local physician to learn the initial steps in the art of medicine, and in 1779 he matriculated at Edinburgh University as a student of anatomy and surgery.

During the last quarter of the eighteenth century the eyes of all ambitious young men were turned towards India as the place where untold wealth lay at the command of the energetic

Briton. The Hon. East India Company was then supreme in the East, and John and Thomas Morgan came under the fascination which had led such men as Clive and Warren Hastings to vast wealth and autocratic power.

At this time the famous George Dempster of Dunnichen, who was M.P. for the Dundee Burghs from 1761 till 1790, was a Director of the East India Company, and as he was ever ready to assist young men of promise, it is probable that Thomas Morgan applied to Mr. Dempster to aid his two sons by his influence. It is certain that in 1784 they both received appointments—John as a “free merchant” in Calcutta, and Thomas as an Assistant Surgeon in the service of the Company. They set out for “the golden East” as young men, aged 24 and 20 years respectively, and many years elapsed ere they returned to their native town.

The good fortune that had attended the honest vintner suddenly changed after the departure of his sons. Trade was not prosperous with him. He had to leave his tavern in Kirk Wynd, and to take up a smaller place in the Nethergate, where he adopted the sign of the Royal Oak. His three daughters worked to assist the household, the eldest, Helen, being a stay-maker, and the other two, Matilda and Agnes, earning some money by dressmaking.

The evening of life closed darkly for Thomas Morgan. His daughter, Helen, died in 1793, thus depriving him of a source of support. He had to make a claim upon the Maltmen’s Incorporation for the pension to which his membership entitled him; and at length, in August, 1799, Thomas Morgan died in poverty, and was buried in the Howff of Dundee. The widow and her two daughters kept house together in an humble way, delighted beyond measure when letters from India came at long intervals from their brothers, enclosing remittances to assist the three women in their struggle for existence.

John and Thomas Morgan worked together in fraternal amity. After John had gathered together sufficient capital, he left Calcutta and went up country, becoming established as an indigo-planter. His brother Thomas gave up the medical profession and joined him, and they ultimately amassed a very large fortune. The money sent home by them was soon large enough to support the mother and her daughters

in comfort, and by and by it was announced that the two nabobs intended to return home.

In June, 1812, after an absence of 28 years, the brothers came back to Dundee. By previous arrangement, the mansion of Balgay had been rented and furnished, and the Morgan family—mother, two sons, and two daughters—occupied the ancestral home of the Davidsons of Balgay. The old friends of the Morgans came to congratulate them upon their altered fortunes; but the nabobs did not greatly appreciate the intended honour, and in 1815 the whole family removed to Haddington. In August of that year Thomas, the younger brother, died, and John, with his mother and two sisters, took up house at 17 Coates Crescent, Edinburgh, where they resided until, one after another, they died.

In the year 1817 it occurred to John Morgan that there was no tombstone to mark his father's grave in the Howff of Dundee. He had just completed the erection of a monument in Greyfriars' Churchyard, Edinburgh, where his brother Thomas was buried, and he now took steps to have a worthy memorial put over the resting-place of his father. He caused a white marble table-monument, supported on handsome pillars, to be placed over the grave, and surrounded it with an iron railing. The inscription on the tombstone is as follows:—

Erected  
To the Memory of  
EUPHEMIA DACRES,  
Mother of the under-mentioned Thomas Morgan;  
THOMAS MORGAN,  
Aged 75 years;  
ROBERT MORGAN, HELEN MORGAN,  
and  
JANET MORGAN,  
Children of the said Thomas Morgan  
and  
Janet Cramond.

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This Monument was erected by  
JOHN MORGAN,  
Second and only surviving son of the above-named  
Thomas Morgan and Janet Cramond.  
September 1st, 1817.



To the strange fate of this tombstone allusion will shortly be made. Certainly John Morgan did not spare expense in his memorial to his grandmother, his father, and his brother and two sisters, who were buried beneath this marble cenotaph.

The fine mural monument in Greyfriars' Churchyard, Edinburgh, is an elegant but not elaborate memorial. It is covered in by railings such as were common in the days of the Resurrectionists. The inscription as it now stands is as follows:—

THOMAS MORGAN, Esq., died at Haddington,

13th August, 1815,

Late of the

Bengal Medical Establishment ;

Also

Mrs. JANET MORGAN,

Who died at Edinburgh

On the 14th October, 1818,

Aged 85 years, and 9 months,

Mother to the above Mr. Thomas Morgan ;

Also

Miss MATILDA MORGAN,

Died on 20th March, 1827,

Daughter of the above Mrs. Janet Morgan.

Miss AGNES MORGAN,

Died 15th January, 1848, aged 67.

JOHN MORGAN, Esq.,

Died at 17 Coates Crescent, Edinburgh,

25th August, 1850. Aged 90.

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THOMAS MORGAN, died August, 1799.

This inscription gives "the short and simple annals" of the Morgan family. The mother died in 1818, Matilda in 1827, and Agnes, who kept house for her brother, in 1848. Before her death John Morgan's mind had begun to give way, and the last document that he is known to have signed was dated 6th September, 1846. It was necessary, after the death of Agnes, for the Court of Session to appoint a Curator to conduct John Morgan's affairs ; and in less than two years he died.

Several documents of the nature of Wills came into the Curator's hands. The first of these, dated 4th January, 1836, gave the life-rent of all John Morgan's property to his sister Agnes, and provided that a Judicial Factor should be appointed



who was to purchase bonds and lands till the capital reached the sum of £1,000,000, which was to be expended on lands, and strictly entailed, the heritor being bound to assume the name of John Morgan. One passage in this Will must be quoted :—

I have further to request of my said sister, Agnes Morgan, and those who may succeed to this property, to keep in good and sufficient repairs my brother's tomb in the Greyfriars Churchyard of Edinburgh, and also my (father's) tomb in the burial place of Dundee, when the tablets are any ways effaced, to renew the inscriptions on both of these tombs.

A second Will, dated 18th November, 1840, excluded "George Morgan, who married B. Cramond," from his share in the property save as a representative of the Cramonds. On 10th October, 1842, John Morgan made a codicil annulling all his previous Wills, and declaring his wish to establish an Hospital in Dundee similar to Heriot's Hospital, Edinburgh, preference being given to inhabitants born and educated in Dundee. Ten days afterwards he declared that only 100 boys should be admitted, instead of 180 as first intended.

On 6th September, 1846, his sister Agnes wrote for him a Will, which he signed, giving her the life-rent in his estate, and declaring that after her death the capital should be allowed to accumulate for ten years, and be then applied to the erection of an Hospital in Dundee for "poor children of the Nine Trades in Dundee, the name of Morgan to be preferred."

These Wills were on separate pieces of paper, and many sentences had been carefully obliterated. It was only possible to discover John Morgan's intentions by taking passages from these different fragments, and putting them together.

After John Morgan's death in August, 1850, the Town Council of Dundee, on the suggestion of Mr. P. H. Thoms, then Provost, took action to secure the money necessary for the founding of the hospital. A number of claimants on the estate had arisen, and it was evident that the judicial factor would require to apply to the Court of Session for guidance. It was deemed prudent, therefore, that the Town Council should also lodge a claim.

A long litigation ensued, and two appeals from the Court of

Session judgments were successively taken to the House of Lords by claimants. At length in May, 1857, the Town Council brought forward their claim, and the Lord Ordinary (Handyside) repelled it, declaring that the loose sheets of paper produced could not be held as forming a legal Will in Scotland.

The case was appealed to the Second Division, and on 26th June, 1857, the judgment was maintained.

Not content with these defeats, the Town Council appealed to the House of Lords, and on 11th May, 1858, the Lords declared that the writings in question "contain a valid legacy and bequest of so much of the personal estate of the said testator, John Morgan, as is necessary to found an Hospital in the town of Dundee to accommodate one hundred boys."

Thus the House of Lords, as in a recent case, deliberately reversed the judgment of the whole of the Court of Session, and introduced a dangerous precedent as to the interpretation of Wills. One of the Judges showed that the obliterations made by John Morgan had reduced the words to nonsense; and, certainly, this was the common-sense view, though the House of Lords did not accept it. The matter was remitted to the Court of Session to carry out in proper form.

The sum ultimately set apart in 1861 by the Court of Session for the building and endowment of the Morgan Hospital was £73,500, which, with interest, came to £80,000. The plan submitted by Messrs. Peddie & Kinnear, architects, was adopted, and though the estimate was £15,000, the site and building actually cost £24,000.

The Hospital was begun in 1863, and was formally opened in February, 1868; and within a year there were 80 boys domiciled within its walls. For 19 years the Morgan Hospital was carried on successfully. At length, in 1887, the Endowed Schools Commission, with Lord Balfour of Burleigh as Chairman, decided to abolish the monastic style of education pursued, and the Morgan Hospital was sold to the Dundee School Board for £15,500, and transformed into a Board School. Thus Dundee has twice profited by John Morgan's bequest.

If the reader will look back a little in this sketch he will find that the only condition which John Morgan imposed upon those who should succeed to his property was that they should

keep in repair the tombstones he had erected in the Howff of Dundee and in Greyfriars Churchyard, Edinburgh. How did the Morgan Trustees fulfil this pious wish? The Greyfriars grave, where John Morgan lies buried, was soon over-grown with weeds, and shamefully neglected.

The Howff tombstone was in ruins. So long ago as August, 1896, an article appeared in the "Dundee Advertiser," pointing out that one of the pillars supporting the tablet had given way, and that there was imminent danger that the whole table-stone might fall and be destroyed. Instead of putting the tomb in proper repair, the Trustees took the economical but very despicable plan of laying all the pillars flat on the ground and placing the marble slab on the top of them! The inscription was being rapidly effaced, though John Morgan expressly ordered that it should be replaced when in this condition. Unless some means were speedily taken, this pious memorial, fondly committed by John Morgan to the care of his heirs, would have been nothing save "a shapeless cairn."

The Town Council, in the first instance, should have seen that the wishes of John Morgan were carried out. Then, the Morgan Trustees, who took charge of the Trust, should have fulfilled this easy task. Next to them, the Dundee School Board comes in for blame, as the whole of the conditions were assumed by them when they acquired the Morgan Hospital for £8500 less than it cost. And finally, the Morgan Hospital boys, who, during 19 years, profited by the founder's generosity, should have subscribed the few shillings necessary to show their respect for John Morgan.

After considerable delay the Morgan Trustees re-erected the Howff tombstone, but did not touch the inscription. They took no more care of the mural monument in Greyfriars' Churchyard, Edinburgh, than to have the weeds removed. Possibly the Trustees do not yet recognise the fact that any of the claimants to the estate of John Morgan could have compelled them to refund the whole of the money since they had failed to carry out the very simple duty imposed upon them by the testator.



## XIII.

## KING CRISPIN IN DUNDEE.

## HIS LAST PROCESSION IN STATE.

**W**HEN the Trades Hall, which stood at the east end of the High Street on the site directly in front of the Clydesdale Bank, was opened in September, 1778, the Nine Trades were accommodated with separate chambers in the building. Previous to that time the Trades, from about 1580, were accustomed to meet for the disposal of business (the election of Deacons and of Town Councillors, and other matters connected with the Crafts) in the Howff, or Burial-ground of Dundee.

Usually each Craft selected a part of the cemetery where some notable member of the Craft lay buried. Thus the Bakers convened beside the grave of David Tendall, a famous Deacon in the sixteenth century; and the other Trades followed this quaint example, thus giving a sentimental aspect to the most prosaic business. It seemed as if the living members of the Craft were calling their dead brother to witness that they were upholding the dignity of the Trade with which he had been connected.

This curious custom continued until the Trades decided to combine so as to build a hall that would afford accommodation commensurate with the advance in social affairs. No longer was it convenient or dignified to hold meetings in the open air; and the Nine Incorporated Trades raised a joint fund to pay for a general meeting-place.

The building was designed by Samuel Bell, a famous local architect, who also provided the design for the English Episcopal Chapel at the west end of High Street, which afterwards became the Union Hall. Both these buildings were in keeping with the style of the Town House; and the High Street (the Market-gait of the olden days) had quite a Flemish appearance before these two halls were demolished.



The Nine Trades that erected the Trades Hall were the Bakers, Shoemakers, Glovers, Tailors, Bonnet-makers, Fleshers, Hammermen, Weavers, and Dyers, and their motto "Nine in One" was carved on the pediment of the hall, together with the arms of each separate Trade. The Trades Hall was opened in 1778 with a great display of magnificence, the Trades meeting in the Howff, and marching through the town in procession to take possession of the new premises.

The apartment occupied by the Shoemaker Craft in the Trades Hall was situated on the third flat, facing the Seagate. The separate chambers were allotted to the different Trades by ballot, and the Shoemakers (or Cordiners, as they were anciently designated) determined to decorate their place of meeting in a special manner. They engaged Mr Methven, a prominent decorator in Dundee, to paint a mural picture on the wall of the room, below the cornice, representing the Procession of King Crispin in Dundee.

This procession had at one time been an annual display, but had fallen into desuetude; and the Craft purposed to preserve a record of its days of former glory by keeping this picture perpetually before the members. The work was left incomplete by Mr. Methven, and remained unfinished for over forty years. At length, in 1822, the Craft employed Henry Harwood, a well known local artist, to complete the picture, and this was done forthwith.

This strange work of art is painted in oil-colours on the plaster. It represents the craftsmen who were associated with the Cordiner Trade, marching in a long procession, headed by the Earl Marshal on horseback; with the representative of King Crispin, royally robed, wearing a crown, and with four pages holding up his train; with the Champion on horseback, clad in armour; and with the craftsmen in knee-breeches, embroidered tailed-coats, cocked-hats, and all the splendour of holiday clothing of the most elaborate kind.

The Deacons and Past Deacons marched in the procession before the King, wearing white satin coats and breeches; and altogether the display was lavish and expensive, though possibly not impressive to the cynical spectator. Prominent land-marks such as the Auld Steeple and the Law Hill are brought into the picture, with the Tay in the distance. Though



THE CHAMPION & THE EARL MARSHAL



KING CRISPIN & HIS ATTENDANTS



"AVLD MAHOVN" THE SARACEN

not a great work of art, this picture is extremely interesting as a relic of ancient burgh life.

The Trades Hall passed through many vicissitudes during its existence. The large central hall, which was only required for general meetings of the combined Trades, was frequently let for public meetings. At one time it was used as a Theatre; at another it was occupied as the Dundee Exchange Coffee-Rooms; and here many of the public banquets took place, so that it became an important centre of civic life. In 1850 the shops on the street floor were altered and enlarged to suit the progress of the time. The large hall was occupied by the Eastern Bank from 1838 till its amalgamation with the Clydesdale Bank in 1864, and its use as a bank was continued until the present building of the latter Company was completed.

At length, when the Improvement Act of 1878 came into force, the Trades Hall was acquired by the Town Council, and demolished to make way for the widening of the Murraygate. While the building was being removed, Mr. John MacLauchlan, the energetic Chief Librarian of the Dundee Free Library, called the attention of the Town Council to this mural picture, and on his initiative it was carefully cut out from the wall and placed in the Town House for preservation. Ultimately it was taken to the Albert Institute and put up in the main corridor, where it stood for several years. It has now been removed and placed, very appropriately, in the Picture Gallery in the Central Reading-Rooms, Ward Road, reserved for views of Old Dundee.

In pre-Reformation times it was customary for each of the separate Trades to have a Saint as protector. Thus St. Aubert was the patron Saint of the Bakers, St. Severus of the Weavers, St. Mark of the Walker (or Dyer) Craft, St. Duthac of the Glovers, St. Crispin of the Shoemakers; and from early records it is shown that there were altars or chaplainries dedicated to nearly all of these Saints in the Church of St. Mary of Dundee, which were maintained by the different Trades.

The exception was St. Crispin. There was no altar to this Saint in St. Mary's Church, and it is probable that the Cordiners contributed to the support of the Altar of Corpus Christi there, just as the Guildry was responsible for the



expenses of "the Halie Bluid Altar." And thereby hangs a curious story, which shows how the old Roman Catholic ceremonies were preserved in an altered form after the Reformation. To understand this it is necessary to know the history of the Saint of the Cordiners' Craft.

In the Rev. Alban Butler's "Lives of the Fathers and Martyrs," the true story of St. Crispin and his brother St. Crispinian is thus related:—"The brothers came from Rome to preach the faith in Gaul towards the middle of the third century together with St. Quintin and others. Fixing their residence at Soissons, in imitation of St. Paul they instructed many in the faith of Christ, which they preached publicly in the day at seasonable times; and, in imitation of St. Paul, worked with their hands in the night, making shoes, though they are said to have been nobly born, and brothers. The infidels listened to their instructions, and were astonished at the example of their lives, especially of their charity, disinterestedness, heavenly piety, and contempt of glory and all earthly things; and the effect was the conversion of many to the Christian faith.

"The brothers had continued this employment several years, when the Emperor Maximian Hercules coming into Belgic Gaul, a complaint was lodged against them. The Emperor, perhaps as much to gratify their accusers as to indulge his own superstition and give way to his savage cruelty, gave order that they should be convened before Rictius Varus, the most implacable enemy of the Christian name, whom he had first made Governor of that part of Gaul, and had then advanced to the dignity of Prefect of the Prætorium. The martyrs were victorious over this most inhuman judge by the patience and constancy with which they bore the most cruel torments, and finished their course by the sword about the year 287 A.D. They are mentioned in the Martyrologies of St. Jerome, Bede, Florus, Ado, Usuard, and others. A great church was built at Soissons in their honour in the sixth century, and St. Eligius richly ornamented their sacred shrine."

In all the Roman Catholic churches where there was an Altar of Corpus Christi it was usual to have a public procession through the streets of the city on the Thursday after Trinity Sunday. On this day the consecrated Host was carried with



great pageantry, and the different Crafts took part in the parade. From an Inventory of the goods and ornaments in St. Mary's Church, Dundee, dated about 1454, it appears that the decorations for the Procession of Corpus Christi then consisted of the following articles:—

Twenty-three Crowns, seven pairs of angels' wings, three mitres, Christ's coat of leather, with the hose and gloves, Christ's head, thirty-one swords, three long crosses made of wood, St. Thomas's spear, a cross for St. Blaize, a cradle and three "bairns" made of cloth, twenty heads of hair (wigs), the four Evangelists, St. Catharine's Wheel, St. Andrew's Cross, a saw, an axe, a razor, a gully knife, a worm (serpent) made of wood, the Holy Lamb made of wool, St. Barball Castle and Abraham's hat. These details give some idea of the nature of the procession of Corpus Christi through Dundee in the fifteenth century.

It will be noticed that the emblems were representative of the principal Trades, and thus the ceremony was partly religious and partly secular. Though no specific record exists of this procession in Dundee, there can be no doubt that it was faithfully observed up till the time of the Reformation.

When the Protestant religion had gained a firm hold in Dundee—"the Geneva of Scotland," as it was called—this procession, of course, had to be discontinued; but the people, very naturally, were unwilling to lose a glorified holiday of this kind. They could not have a Procession of Corpus Christi, nor could they make a Saint's Day the excuse for such a display. The Shoemaker Craft here stepped forward to the rescue. Their Saint, as stated, was St. Crispin. The name was similar in sound to "Corpus Christi," the altar supported by the Craft; but then they dared not have a Procession of St. Crispin without offending the Protestant ministers. They therefore transformed "Saint Crispin" into "King Crispin," and thus, very simply, altered a religious ceremony into a secular parade, and kept their consciences clear.

St. Crispin's Day was thus observed in Dundee for over two hundred years. In 1783 it was celebrated with special magnificence; but for 39 years after that date there was no King Crispin Procession. In 1822 the visit of George IV. to Scotland had revived the taste for spectacular display; and the members of the Shoemaker Craft decided to revive the

parade with which their Trade had been so long associated.

At noon on Wednesday, 2nd October, 1822, the Shoemakers of Dundee and the neighbourhood assembled in front of the Trades Hall, clad in all the mediæval trappings which formerly graced this display. The picture, of which three portions are here reproduced, shows the style adopted by the tradesmen and their officials. Starting from the east end of the High Street, the procession marched along the Nethergate, up Tay Street, eastward through the Overgate, Murraygate, and Cowgate, and back by the Seagate to the Trades Hall.

The "Dundee Advertiser" of 3rd October, 1822, thus records the incident:—"The rarity of the procession attracted the curious and the idle, and the High Street was crowded to excess for upwards of two hours. From the want of previous arrangement to keep off the excessive crowd, the procession advanced with difficulty and labour hard, and only the equestrians, such as the Champion, the Earl Marshal, and a few other grandees were visible above the mass of heads. As the procession moved up the Overgate, a pedlar contrived to perch his person upon a table in front of his shop. But no sooner did His Mock Majesty appear than the table broke down, and the fall of the pedlar was construed into a profound reverence to Crispin."

Thus ended the reign of King Crispin in Dundee.

## XIV.

## TRADES LANE FIRES.

## ORIGIN OF THE DUNDEE FIRE BRIGADE.

A PROPOSAL, was lately made to change the name of Trades Lane, and call the new continuous street from the Cowgate to Dock Street by the name of the upper portion—St. Andrew's Street. This notion was wisely abandoned, as it would have seriously perplexed the future historian of Dundee if the name of Trades Lane were wiped out entirely. That thoroughfare, though not one of the ancient streets of Dundee, and not much more than a century old, has figured prominently in civic affairs, and gained an unenviable notoriety for its conflagrations.

Three alarming fires occurred here during the past century, each more disastrous than its predecessor. The first of these took place in October, 1835, the second twenty years later, in June, 1855, and the latest and most pathetic in September, 1870, when two esteemed officials lost their lives. The story of these events will revive recollections of the two last-named disasters in the minds of the older generation of Dundonians.

Ninety years ago Trades Lane presented a very different appearance from that which it has to-day. The open field which is shown in Crawford's map of 1770 as extending from the Seagate to the river had been feued chiefly for works. On the east side of the thoroughfare, in 1835, Mr. Calman's shipbuilding yard was at the south, where Dock Street now has been reclaimed from the river. Further up the street were the engine works and foundry of Mr. Borrie, one of the pioneers of marine engineering.

The Trades Lane Calendering Co. had recently completed new premises at the corner of Seagate; and their former building—the scene of the disaster—lay between their new place and Mr. Borrie's works. At that time it was rented by Messrs. Guthrie & Baxter, and used as a store for hemp and



codilla. The building where the fire occurred was thus surrounded by structures of a highly inflammable character.

About half-past ten o'clock on the evening of Saturday, 31st October, 1835, smoke was observed issuing from the store, and the watchman of the First Ward speedily raised an alarm. The news of a fire in this thickly-populated district soon brought an immense crowd to the scene. Mr. Calman's carpenters, Mr. Borrie's engineers and foundry men, and the employees in the Trades Lane Calender, most of whom lived in the vicinity of these works, were attracted to the spot, and many of them lent active assistance in subduing the fire.

At that time the Dundee Fire Establishment had been quite recently organised. For several years before 1835, the "Dundee Advertiser" had been strongly advocating the establishment of a regular Fire Station, instead of trusting wholly to the imperfect means adopted by the Insurance Companies and by individual mill proprietors.

On Sunday, 16th January, 1835, a terrible conflagration took place in the warehouse belonging to Mr. James Watt in Dock Street, the store there containing about 300 tons of hemp and codilla and upwards of 300 barrels of tar. The fire was described as forming "a volcano," the tar soaking the hemp and blazing with terrible fury. Five men were killed by the falling of a gable. This incident compelled the Town Council to take action in forming a Fire Salvage Establishment, and, after much circumlocution, the Council, in conjunction with the Harbour Trustees, formulated a scheme and carried it out. In the "Dundee Advertiser" of 3rd April, 1835, the following paragraph describes the primitive Fire Brigade:—

"At last Dundee is on the eve of procuring a proper establishment for giving powerful aid in the extinction of fires. Mr. Matthew, Clerk of Works at the Harbour, has been appointed Superintendent of the Fire Corps. Twenty firemen have been appointed at present. A new fire engine of great power has been ordered, and other ten firemen will be appointed when it has been procured. The firemen are to be dressed in uniform, blue jackets and vests, canvas trousers no wider than is necessary for easy movement of the limbs, helmets strongly fortified to save the head in the midst of danger. The Fire Corps is to be regularly drilled in the necessary duties."



Such was the condition of the Dundee Fire Establishment when the first great Trades Lane fire broke out. It was supported by subscriptions from the Town Council, the Harbour Trustees, and the Fire Insurance Companies, and as the total sum gathered each year only amounted to £160, it soon fell into bankruptcy. But the Trades Lane fire of 1835 gave the first opportunity of showing the mettle of the Fire Brigade. The Hand-pumping Fire Engine used on this occasion is now obsolete, and is preserved at Dudhope Museum.

The Brigade was turned out under Captain Matthew, and many willing hands lent aid in the subjugation of the fire. It soon became evident that special efforts must be made if Mr. Borrie's works were to be saved. A band of firemen, assisted by Borrie's engineers, began to demolish the roofs of the sheds at the engine-works, while another band, with workers from the calender, strove to limit the conflagration by a similar method on the north.

As in the Great Fire of London, it was found necessary to circumscribe its area by making a blank space around it, and this plan proved successful. After a prolonged struggle, the "devouring element" was conquered, and the conflagration terminated without any tragic loss of life.

Within the next few years the Fire Brigade had many trying experiences at large factory fires. In June, 1836, the extensive engineering and foundry works of Messrs. Kinmond, Hutton, & Steele, at the Dens, were totally destroyed by fire. In October of the same year the new spinning mill of Mr. John Mitchell, at Polepark, was burned.

In August, 1840, the Brigade was perplexed by a double fire. Mr. Thoms' mill in Barrack Street was reported to be on fire, and while the firemen were there, a fresh alarm was raised that Mr. Lindsay's mill in Henderson's Wynd was in the same condition. This proved to be a dreadful conflagration. The building and machinery, which had cost over £20,000, were totally destroyed. On this occasion the Fire Brigade was assisted by the soldiers from the Barracks, under the command of Captain Beresford.

By a strange fatality, the fire which broke out in Trades Lane on the night of Tuesday, 5th June, 1855, involved some of the buildings which had been saved twenty years before. The portion of Mr. Borrie's foundry which had been erected

about 1830 was then used as a series of stores for flax, and was occupied by Mr. Collier, Messrs. Paton & Fleming, Messrs. Neish & Small, and other merchants.

The buildings were situated between Trades Lane and Mary Ann Lane, and extended in the form of the letter H from a court near the Seagate on the north, to Dock Street on the south. The Trades Lane Calender was at the northern boundary, and thus the fire involved all the buildings in Trades Lane on the east side, except the Calender Works.

The first intimation of danger was the smoke which was seen issuing from the one-storey brick building occupied by Mr. Collier; and shortly afterwards there was a similar outbreak about 300 feet away from the spot first observed. The fire spread rapidly through all parts of the range, and soon the whole of the contiguous structures, holding over 1400 tons of flax, hemp, jute, etc., were one glowing mass of fire.

It was stated at the time that the reflection of this huge volume of flame was visible at Blairgowrie, at Perth, and at Edinburgh; while at Broughty Ferry it was possible to read the newspapers at midnight by this artificial light. The scene was thus graphically described by the reporter of the "Dundee Advertiser":—

"The view from the Nethergate was one of awful magnificence. The spire of St. Paul's Episcopal Church was brilliantly relieved from the intense light behind, and the houses around were lighted up with a lurid splendour almost surpassing the brightness of the noonday sun. The appearance of the burning mass itself was one of terrific grandeur. From the roofless warehouses and from the windows, as from the craters of volcanoes, issued streams of lurid flame, and portions of the walls, from the intense heat, which was felt at a great distance, were ever and anon falling amongst the flames, and causing clouds of fire-dust to ascend with spasmodic force, which, even in the calm atmosphere, were borne to a great distance from the scene of conflagration."

As on the previous occasion of a great fire, the soldiers in the Barracks turned out, and did much service, both in maintaining order and in helping the firemen. The fire continued to rage with great fury till long after midnight

and not until two o'clock in the morning were there any signs of its abating. The loss was estimated at over £50,000. Mr. Fyffe was then in command of the Fire Brigade, and he was destined to meet his death at the same spot a few years later.

The terrible conflagration in Trades Lane, which took place on Sunday, 18th September, 1870, far transcended the others in its melancholy results. The warehouse belonging to Messrs. John Gordon & Co., linen manufacturers, stood on the east side of Trades Lane, and extended from about the middle of that thoroughfare southward to Dock Street. It was a one-storey building 300 feet long, 40 feet broad, and 16 feet high, the walls being of brick nine inches thick.

About midnight the policeman in Dock Street noticed smoke issuing from the south end of the building, and raised an alarm. The Fire Brigade under Captain Fyffe was soon at the scene, and about 50 men of the 90th Regiment came from the Barracks. The building was not divided by partitions, and there was thus no chance of localising the fire, as it was directly communicated from bale to bale of the 1500 tons of flax, codilla, tow, and jute, with which the store was packed. Almost from the first it was plain that none of the goods could be saved. Efforts were directed, therefore, to preventing the fire from spreading to the adjacent buildings.

On the east side of the burning warehouse there was a narrow lane, about nine feet wide. Captain Fyffe noticed that the door of Borrie's store at the head of this lane had caught fire, and he went thither, accompanied by six of his assistants, a large crowd of spectators following them.

The firemen had hardly begun to direct their hose upon the burning building when a fearful catastrophe took place. The action of the intense heat had so expanded the bales in the store that the nine-inch wall could not resist the pressure; and at once, without warning, the brickwork, about 30 feet long by 16 feet high, suddenly collapsed, the ruins falling upon the crowd in the narrow lane, and burying some of them beneath the burning bricks and the blazing bales. As the lane was not "through-going"—that is, had only one entrance and exit—those at the further end had no chance of escape, while the crowd at the southern portion of the lane could only save themselves by a stampede.

Dr. Charles Moon, who was present in the lane, exhibited



great courage, and repeatedly attempted to rescue those who were buried under the ruins. Nor for some time was it possible to bring out the dead and wounded from the fiery death-trap in which they had been caught. At length it was found that there were four killed and nine seriously injured. The dead were Captain James Fyffe, Superintendent of the Fire Brigade; Sergeant James Watson, Burgh Police; Robert Jenkins, fish-dealer, Blackness Road; and Bernard Clark, mill foreman to Messrs. Edward.

Captain Fyffe was originally a slater, but had been connected with the Fire Brigade for 35 years. He was 58 years of age, and was about to resign his office when death overtook him in the performance of his duty. Sergeant James Watson had been a member of the police force for over 20 years, and had risen to rank through his ability and trustworthiness. It was no part of his duty to be present at this fire; he was there as a volunteer. Both those victims of the fire were buried in the Western Cemetery on separate days, and a large concourse of the people attended their obsequies. Monuments to both of them were placed on their graves. The obelisk which marks the grave of Captain James Fyffe bears the following inscription:—

Erected by the Commissioners of Police of the Burgh of Dundee, to the memory of JAMES FYFFE, Superintendent of the Dundee Fire Brigade, who discharged the responsible duties of that office during 25 years with energy, discretion, and judgment; and who died in the zealous performance of his public duty while endeavouring to extinguish a fire at a flax warehouse in Trades Lane, Dundee, on 18th September, 1870.

The inscription on Sergeant Watson's tombstone is in similar terms. The loss by this fire was estimated at about £40,000. Since that time Trades Lane has not been immune from fire, though stone-built premises have taken the place of the brick erections which once formed the east side of that thoroughfare.

In the early morning of Thursday, 9th July, 1891, the warehouse which had been built on the site of the one destroyed in 1870 was burned to the ground. It was then in the possession of Messrs. Fleming, Douglas, & Co., and was used



for storing jute. The block was 120 feet of frontage, and extended 80 feet back from the street; and while the fire was in progress it was found necessary to pull down the front wall to prevent it from collapsing. Captain Ramsay had then charge of the Fire Brigade. The loss entailed amounted to £20,000, and the fire smouldered so long that the street was closed against traffic from Thursday till Saturday. A similar fate overtook the warehouse erected next to the calender, on Wednesday, 4th May, 1904, when the store belonging to Messrs T. S. Ross & Co. was totally destroyed, the loss being about £20,000. Clearly this side of Trades Lane had the shadow of disaster hanging over it for nearly a century.

By far the most destructive fire recorded in the history of Dundee took place in this locality on Thursday, 19th July, 1906, and raged for two days. It originated in the bonded stores of Messrs. James Watson & Co. Ltd., distillers. The premises comprised an imposing range of stone structures, three of which fronted Seagate, and three Trades Lane on the West side. These stores were six storeys high, and contained, it was computed, nearly a million gallons of spirits, principally whisky and rum. At the North-West corner of Trades Lane stood the establishment of the Scottish Co-operative Wholesale Society, a brick building two storeys in height, which contained extensive stores of provisions. On the North-East side of Trades Lane stood the Trades Lane Calendering Company's works; while on the North side of Seagate, opposite Messrs. Watson's establishment, were, extensive bonded stores of Messrs. John Robertson & Sons distillers, a large tenement property, and the offices of Mr. James Fairweather, tobacco manufacturer. It will thus be seen that the area contained highly inflammable material.

The fire began shortly after 6 p.m., when most of the staff had left, and smoke was noticed issuing from the roof of one of the largest bonded stores in Watson's building. The Fire Brigade, under Captain Weir, was speedily on the scene, but no one foresaw that this was the beginning of a terrible conflagration. It was soon apparent that the whole roof was ablaze, and the fire was rapidly descending to the lower flats. Sheets of flame, sometimes a hundred feet in extent, were blown by the Western breeze across Trades Lane, and the

Calender was only preserved from destruction by the workers, who kept pouring streams of water on the building.

About an hour after the fire began a terrible explosion occurred, caused by the ignition of the contents of a large vat containing about 1000 gallons of whisky. All the windows were blown out simultaneously in Seagate and Trades Lane, doing damage to the buildings on North side of Seagate, and making it necessary to remove all the residents in the tenement there. The following account is quoted from the "Dundee Advertiser":—

"A strange sight now arrested the attention of the spectators. The escaping spirits, percolating through the interstices of the gable, reached the outside, and, igniting, flowed down the wall, a stream of sulphuric flame. The scene at this stage was appalling, and positively baffled description. With a deep roar like the reverberations of Niagara, the flames leaped about their prey, licking the bare gaunt walls of the ruined warehouses, and threatening every minute to consume the others. . . . Slowly creeping to the utmost recesses of the building, the fire shortly after ten o'clock gained access to a large quantity of liquor housed in the south-west corner. As the bottles cracked and the casks burst, the liquor poured in large streams from many of the windows. The whisky, which was on fire, was a beautiful sight as it fell to the street in a variety of colours, sometimes purple, occasionally blue of different shades, and again red. A river of bluish flame, many yards in width, rushed down Trades Lane towards Dock Street, and the more the firemen drenched it with water, the keener it appeared to burn."

For some time it was thought that the Co-operative Store would escape; but when Watson's building in Trades Lane burst into flame about nine o'clock it was evident that the Store was doomed, and in less than half-an-hour it was reduced to ruins. On the West side of the narrow street called Candle Lane, to the West of Watson's main structure, there were whisky stores belonging to Messrs. John Robertson & Sons, and these also were soon destroyed. In Mary Ann Lane, which is east of Trades Lane, there were several large sheds containing bales of jute, and these were set on fire by blazing

embers that had been thrown by explosions a long distance. The sheds were totally destroyed.

When the fire at Watson's had been partially subdued, steps had to be taken for the demolition of the lofty ruined walls, which were in a dangerous condition. This was no easy task, but it was safely accomplished under the direction of Mr. James Thomson, City Architect. For about three days the fire smouldered over this vast area, and many prodigies of valour were accomplished by the firemen, though no lives were lost. The value of the property destroyed is shown in the following table:—

|                       |       |          |
|-----------------------|-------|----------|
| Messrs. Watson,       | ..    | £180,000 |
| Messrs. Robertson,    | ..    | 70,000   |
| T. S. Ross & Co.,     | ..    | 60,000   |
| Messrs. Henderson,    | ..    | 20,000   |
| Co-operative Society, |       | 7,000    |
| Stewart Robertson,    | ..    | 6,000    |
| Trades Lane Calender, |       | 5,000    |
| Other losses,         | .. .. | 42,000   |
|                       |       | <hr/>    |
|                       |       | £400,000 |
|                       |       | <hr/>    |

Messrs. Watson, in 1908, erected a still finer building for their stores and offices upon the site of their former place thus made memorable.







Claypotts Castle.

## XV.

## THE GHOSTS OF CLAYPOTTS CASTLE.

THERE are few of the residents in Dundee and Broughty Ferry who do not know the quaint old structure of Claypotts Castle. Hardly one of the uninhabited castles in Scotland is so well preserved as this structure, though for many years it has been used principally as a store in connection with the farm.

It is nearly five centuries and a half since the existing building was erected; and very little expense would make it quite fit for habitation at the present day. It is built on what is known as the Z plan—that is, there is an oblong central building, and at the corners diagonally opposite there are large round towers, carried up from the ground, the top storey being corbelled out to form a square structure finished with crow-step gables.

The oblong keep measures 35 feet by 25 feet, and the circular towers are constructed on a radius of 11 feet, the main building being four storeys in height. Small circular towers with spiral staircases are placed at the points where the large round towers join the main building, and access is thus afforded to the upper flats.

The ground floor is very strongly built, the walls there being five feet thick, almost the only apertures for light consisting of narrow shot-holes suitable for firearms. The kitchen has been placed in one of the round towers, the other having been used as a store room. The roofs are vaulted, and the apartment in the oblong keep is divided by a partition to make two store rooms.

The hall, as usual, is on the first floor, and is a well-proportioned apartment, measuring 27 feet by 18 feet. A screen of some kind, either wood pannelling or tapestry, has extended across the hall from the staircase entrance to the opposite wall, the purpose being to permit of entrance from the stair to the ante-chamber thus formed, instead of passing

directly from the staircase into the hall. Light is obtained from single windows in each of the three walls, and a private room in one of the large towers has an entrance from the hall. The floor of this splendid apartment is composed of pavement slabs that rest upon the vaulted roof beneath. The upper floors are of wood, now very much decayed.

At the exterior of the top flat, at the angles of the oblong keep opposite to those occupied by the round towers, there are battlements where sentries might be stationed on the lookout; this arrangement showing that the Castle was built at a time when the proprietor might be called upon to defend his habitation from the attacks of his enemies. The old roof-timbers still remain, and instead of slates, the flake stones are fixed to laths by wooden pins.

Despite the neglect with which it has been treated, this sturdy Castle seems likely to remain a monument of honest masonry when many a modern jerry-building will be reduced to the condition of "a shapeless cairn."

In ancient times the lands of Claypotts belonged to the Barony of Dundee, and thus came into the possession of the famous David, Earl of Huntingdon, when he obtained the burgh from his brother, William the Lion, towards the close of the twelfth century. Alexander II. gave the superiority of the lands to the Abbey of Lindores, and this grant was confirmed by Alexander III. in 1282, and by David II. in 1345, and again in 1364, Claypotts being then conjoined with "Craig of Milton" and Balmaw.

The ground remained under the control of Lindores Abbey till the Reformation. Before that event the tenant who rented the lands from the Abbot in 1512 was John Strachan, who belonged to the family of Strachan of Carmyllie. His brother Gilbert was Canon of Brechin Cathedral, and founded a chaplaincy there. John Strachan of Claypotts (son of the preceding John) was in possession of the estate in 1556, and he and his son Gilbert were the builders of Claypotts Castle.

The dates at which different parts of the structure were erected are shown by the sculptured figures on two of the skew-stones, one of which bears the date "1569," and the other "1588," while a shield with the arms of Strachan and the initials "I.S." proves that John Strachan was the builder of the greater portion of the Castle. John Strachan was still



living in 1584 at an advanced age, so that Gilbert would have little to do in completing the Castle.

It was in 1584 that Gilbert Strachan, then "younger of Claypotts," wedded Elizabeth, daughter of Alexander Maxwell of Tealing, and brought her to live at the Castle. He did not long survive his marriage, and he left an infant son as his heir. In those days it was reckoned an important office to have the guardianship of an heir during his minority; and apparently some of the Strachans had claimed "the right of wardship."

The widowed Lady of Claypotts seems to have been a strong-minded person; and she was backed by her four brothers, the Maxwells of Tealing. In 1593 they made up a plot to seize upon the Castle and carry off the heir. Coming to Claypotts with an armed band of their tenants, the Maxwells captured the fortalice and took possession of it; but the Strachans had expected this raid, and had sent off the child to Carmyllie for safety.

The Maxwells settled down at Claypotts, and this unnatural mother expected to enjoy the property during her life-time; but the Strachans brought a complaint against her before the Privy Council, and she was summarily ejected from the Castle. No record has been found of her later career.

Claypotts seemed destined to prove a bone of contention in the matrimonial affairs of the Strachans. When John Strachan had reached the age of 15 years he was served heir to his father, Gilbert Strachan. Three years afterwards—1602—this precocious youth had the hardihood to marry a widow—Agnes Erskine, relict of Alexander Halkerton, who was probably much his senior in years. This marriage did not please the Halkertons, relatives of her deceased husband, and they so ridiculed and pestered her "at kirk and market" that her life was made miserable. She even began to dread that they would muster in force and attack her in "the tour and fortalice of Claypottis," so, for her own defence, she appealed for protection to the Privy Council.

An Order was issued commanding the Halkertons to cease from their persecution under heavy penalties. John Strachan did not long survive his marriage, and as he died without issue, he was the last of the Strachans of Claypotts. The superiority of the lands passed into the possession of John



Scrymgeoure, first Viscount Dudhope, who gave a charter of Claypotts to Sir William Graham of Claverhouse in 1625. Sir William before his death was proprietor of his ancestral home of Claverhouse; of the mansion of Glen Ogilvie, and of the Castle of Claypotts.

The Grahams of Claverhouse continued to hold Claypotts till the third generation. In 1672 the famous John Graham of Claverhouse was put in possession of it, and though his chief residence was Glen Ogilvie, he resided occasionally at Claypotts. At least, the consistent tradition in the locality associates his name with some of the ghostly tales told about the Castle.

As every reader of history knows, John Graham attained unenviable notoriety by his stern dealings with the Covenanters. No doubt the stories about his cruelty towards "the hill-folk" are greatly exaggerated; but even to this day he is remembered as much by the nickname of "Bluidy Claverse" as by the more complimentary designation of "Bonnie Dundee." There were current in the district early last century fearsome stories of wild orgies held by Claverhouse in the Castle of Claypotts—of mysterious convocations of witches, warlocks, and demons in this old building, over which the Laird of Claypotts presided as host, and at which he obtained from "Auld Hornie himsel'" that mystic power which made him safe from leaden bullets in the midst of the battle.

Under what conditions he made the bargain with the Devil is not known, nor whether he bartered his soul for wealth to satisfy his land-greed, and honours to ennoble him. But it is certain that the Covenanters believed that his fiery black charger was an animal of supernatural breed, and that the rider was bullet-proof through necromancy. Hence arose the story that on the field of Killiecrankie the hero fell, pierced to the heart not by a leaden bullet but by a silver button from the uniform of one of the opposing army. This superstition regarding Claverhouse survived till quite a recent date.

Not a hundred years ago it was confidently stated that on Hallowe'en—the night when witches in Scotland hold high revelry—the Castle of Claypotts has been seen by belated travellers lighted up with baleful fires; and sounds of wild delirium and eldritch sights have been heard and witnessed, such as recall the eerie cantrips at Alloway Kirk as detailed in "Tam o' Shanter."

It is useless to confute the legend of the orgies at Claypotts in the time of Claverhouse by declaring that he was a temperate man, too sensible to credit the foolish tales of witchcraft current in his time, and too upright to make any soul-destroying compact with the Devil. It is equally futile to suggest that the late wanderer in the vicinity on Hallowe'en who saw flashing lights in the Castle and heard weird sounds proceeding therefrom had probably been too long "boozin' at the nappie, and gettin' fou and unco happy," until he had reached an "elevated" condition. The notion that a "Witches' Sabbath" is still observed on Hallowe'en at Claypotts, in the presence of the Arch-Persecutor Claverhouse, has obtained too firm a hold to be deposed by common-sense argument.

This is not the only ghost-story connected with Claypotts. It has been averred that as the evening of 29th May in each year comes round there is visible at one of the upper windows of the Castle the figure of a White Lady, evidently in deep distress, waving a white handkerchief as a signal, and ever and anon wringing her hands in despair, as though her efforts to warn some loved one had been in vain.

Who is this mysterious lady that thus haunts the scenes of former pleasures, and views them only through a veil of tears? The popular explanation, which has long been traditional in the neighbourhood, is that she is Marion Ogilvy, daughter of the first Lord Airlie, who was the sweetheart of Cardinal Beaton—if indeed, she was not his wedded wife before he took priestly orders.

The story was that Cardinal Beaton built Claypotts for his beloved, and that from the upper window she could signal across the Tay to St. Andrews Bay, to warn her priestly lover that she was longing for his return. And on the 29th of May, 1546, she had waved her spotless kerchief in vain from the window of Claypotts, for her lover was then lying stark, cold, and still in the courtyard of St. Andrews Castle, ruthlessly slain by some of those who had been his dearest friends, the victim of a frantic outburst of ill-regulated religious fanaticism! And thus every year, as the fatal anniversary returns, the White Lady of Claypotts endures her weary vigil at the window of Claypotts Castle, and wails out her grief to the heedless wind.

It is useless to assert that David Beaton never had anything

to do with Claypotts; that the dwelling-place of Marion Ogilvie was Melgund Castle, far out of range of St. Andrews; and that from the Ancient Cathedral City it would be quite impossible to see a 'kerchief waved from Claypotts. Nor will it even convert the believer in the tale to be told that nearly a quarter of a century had elapsed after the assassination of the Cardinal ere the present Castle was erected. This is one of the legends which is so firmly fixed that it is beyond the power of reason and common-sense to overturn.

Why should the ghosts of persons who actually joyed and sorrowed within these walls not haunt their beloved chambers, or wail through this desolate abode? Where is old John Strachan, the builder of the place which passed from his family in the third generation? Why does Elizabeth Maxwell, the widow of Gilbert Strachan, not utilise her power of tormenting the living, which her death must have vastly increased? And why does Viscount Dundee, instead of leading a rabble of rascal warlocks and randy witches, not return hither calm and dignified, with the glamour of victory on his brow, as he appeared when his faithful and sorrowing clansmen bore him wounded from the field of battle, to protest against the slanders and calumnies that have been ruthlessly cast upon his fair fame?

There is no more historical name associated with Claypotts than that of John Graham of Claverhouse; and here there is no deception. Many a time must he have looked out from these windows upon the broadly sweeping course of the Tay. Within these deserted chambers he must often have pondered his ambitious schemes, or planned his valiant enterprises. Fascinating as are the weird ghost-stories of Claypotts Castle, the true incidents connected with this venerable structure are not less captivating.



## XVI.

## DUNDEE BELLMEN OF OTHER DAYS.

THE death in December, 1904, of Charles Harris, the Dundee Bellman, naturally recalled the memory of some of his predecessors in that once important office. Several of the Bellmen of other days were eccentric characters, and their official duties frequently afforded opportunities for the display of native humour. Two public functionaries, the Town Drummer and the Town Crier or Bellman, long existed contemporaneously; but the former office was abolished in 1833, when Dan M'Cormick, "the learned Town Drummer of Dundee," expired.

In early times—as far back, indeed, as the existing Town Records, that is, from about 1550—the Town Drummer's duty was to make all proclamations, national, civic, and social, in the burgh. Thus, when the Lockit-Book was to be opened for the enrolment of burgesses, the Town Drummer was sent through the burgh to warn the inhabitants "by touk of drum" that this solemn ceremony was about to be performed. It was also the task of the Town Drummer to summon the burghers to arms when an enemy was expected, and to rouse the warlike ardour of the Dundonians by his martial music.

The Town Bellman, though also a civic official, was at the service of the inhabitants for the purpose of making personal announcements. From an entry in the Town Council minutes for 1556 it appears that the Bellman was "to tak na mair for his ance passing throw the toun at the desyre of ony neighbour nor twa pennies." His office at that time was often conjoined with that of Sexton; and in 1556 it was distinctly laid down by the Town Council that his fees for "making of graves" in St. Clement's Churchyard (now the Vault), then the place of interment, should be—"for ane man's grave, twelf pennies, and for ane bairn's grave, ane plack, and for puir creatures that hes na thing—na thing."

After the Reformation another official was appointed as "Piper of Dundee," his duty being to march through the burgh, "dressed in the town's livery and colours," playing on his bagpipes, every morning at four o'clock, to arouse the workmen



to the labours of the day, and every evening at eight o'clock to warn them to seek their rest. This plan was adopted as a substitute for the matin-bell and curfew of pre-Reformation times; but the Piper vanished from the streets of Dundee centuries ago. Thus the Piper and the Drummer have both disappeared, and the Town Bellman alone has survived to our own day.

During the early half of last century there were four successive Bellmen in Dundee, each being a character in his way. The first of these was James Paterson, who was appointed to the post in 1819, and continued in the practice of his "calling" for over 16 years. He was a native of Dundee, and was bred to the sea, serving for a long time on the whalers that then made Dundee a very prosperous port.

A curious custom then existed. As in those days there was no telegraph to send word home of the success of a whaler as soon as she had touched at a northern port, the condition of the vessel was not made known until she reached the Firth of Tay. The method of conveying early information was for the whaler, whenever she entered the Tay, to fire from her guns a number of shots equal to the number of fish captured. While the North Sea was still in an unsettled state during the Napoleonic Wars, the whalers had to carry large carronades for their own protection; and the booming of these heavy guns was heard across a long distance.

On one occasion, when James Paterson was loading a signal-gun, the charge exploded, depriving him of his left hand. This was a serious matter for him, because he was "caury-fisted" (that is, left-handed), and he was even more helpless than a normal seaman would have been with his right hand uninjured. Having been thus forced to abandon seafaring life, Paterson settled on shore, taking a small public-house in Fish Street, the spot most frequented by seamen.

But, alas! James Paterson became "ane o' his ain best customers," and his frank manners and jovial disposition brought him to ruin. Just when this misfortune had overtaken him, the post of Bellman and Town Crier became vacant; and as Paterson was then in very straitened circumstances, his appointment was an act of charity. He soon became a local character, familiarly known to all the inhabitants as "Jamie Paiterson."

From passing allusions in the "Dundee Advertiser" during the time of Paterson's service, a fair idea may be formed of his appearance and manner. His voice was full and sonorous, as befitted one who had "out-blustered Boreas" in the Arctic regions; though sometimes, when he had imbibed "potations, pottle-deep," his articulation became somewhat mixed. It is recorded that "at times it was amusing to hear him as he



proceeded on his rounds, proclaiming sales of merchandise, the loss or recovery of money, the straying or finding of children, or the arrival of fishermen with extra catches of haddocks, his proclamations being uttered in Doric style with pertinent comments of his own."

An odd instance of his extreme candour is thus narrated:—"If he had to announce the loss of bank notes, or any article of value, he would add that the numbers of the notes were known, or that the loser was in possession of such information

as would prevent any one from appropriating the missing property. But no sooner was the proclamation made than he would address such of his acquaintances as he might perceive among the listeners in these terms:—"Deed, we ken naething aboot the nummers o' the notes; that's jeest said to gar them that hae them gie them up." Paterson died suddenly on 11th February, 1836, and gave place to the more notable Bellman.

The new Town Crier and Bellman was selected, according to the Town Council Minutes, "from a large number of applicants;" and though Joseph Dempster held the office for little more than four years, he was long remembered in Dundee. Dempster was a boot and shoemaker in Edinburgh for a number of years, and had formed a good business, but misfortune overtook him, and he left the Scottish Metropolis to settle in Dundee. Here he struggled for some time to form a connection, but with little success. His capital was small, and the custom of the period demanded long credit, which Dempster was not in a position to give.

An anonymous correspondent, writing to the "Dundee Advertiser" of 7th August, 1840 (after Dempster's death), gives some stories regarding "Josie" while he was a bootmaker and a member of the Cordiner Craft. Despite his adversities, Dempster never lost heart, and could joke at his misfortunes even when they seemed hardest. He had fed and nourished a porker, intending it for the support of his young family; but the animal was poynded by a messenger-at-arms for debt. "Fare ye weel, Sandy Cawmel," was his parting salutation to the pig, "ye'll no hae lang noo to mind yer auld maister. The Lord giveth, and the Lord taketh away—Blessed be His holy name!"

Referring to an old shopmate, Dempster once said:—"M—— is a man of original genius, and of great invention. I aince thocht I was his equal. I could work as well as he, and even yet I could eat wi' him, drink wi' him, sing wi' him, or pray wi' him; but for tellin' lies he was a cut abune me—I never could touch him at that."

Once Dempster took a pair of boots to Dudhope Castle for one of the officers of the regiment quartered there, expecting the money to be paid on delivery. He overheard the officers order his servant to tell the fellow to call back, as he was not



in. Joseph immediately popped in his bald head, with the query, "Pray, sir, when will your honour be in?"

Though Joseph could look sharply after what was due to him at times, he never could succeed in accumulating money, and was frequently put to sad shifts for the needful. Having once an order for a pair of shoes, he found it extremely difficult to get the necessary materials for them. He had leather for the soles, but not for the uppers, and he was nearly at his wits' end as to how he was to get it. Joseph was fertile in expedients. Having a quarto Bible bound in calf, he took the leather from it, blackened it over, made the uppers with it, and thus completed the job.

His trade of shoemaker supplied him once with an apt comparison. Some one in his hearing remarked about an untoward occurrence that "such was the will of Providence." Joseph observed that the word "Providence" was a very handy one—it was a sort of japan blacking to give a smooth skin to what otherwise would not bear inspection. In his early days, when serving as a shopman, Dempster had been charged by his clergyman with "making lies," an accusation sometimes brought against his craft. "No, no," replied Joseph, indignantly, "my master makes the lies; I only retail them."

The appointment of Dempster to the post of Bellman was an act of municipal kindness, as in 1836 he was in extreme distress; but he amply justified his selection. Many stories are told about the droll humour displayed in the exercise of his vocation. The "Dundee Advertiser" of 24th August, 1838, contains the following paragraph:—"The Bellman at the close of last week announced a serious loss which had befallen a householder in Fish Street. It was nothing less than the loss of his wife and child. 'Lost!' said the eccentric Bellman, 'belonging to a man, his wife, and a child along with her. Whoever can give such information as may lead to the recovery of the child will be handsomely rewarded; but,' continued the Bellman, with a swing round and great emphasis, 'the wife is not wanted.'"

On another occasion Dempster made the following intimation:—"Lost, between the top of the Murraygate and the Wellgate, five five-pound notes. Whoever will return the same will be handsomely rewarded.—I dinna believe it; they were lost some ither gait!"



A curious story is told as to how Dempster once magnified his office. Sir John Monro was in command of a detachment of the 71st Highland Regiment, quartered in Dudhope Castle, and he had the misfortune to lose his dog. The Bellman was engaged to make proclamation of the loss, but he had some difficulty in obtaining payment of his fee. One day, however, he donned his "berrials blacks" and went up to the Barracks. He found that Sir John was there, and he directed the orderly to inform him that "one of the officials of Dundee wishes to see him." This message brought out Sir John, who inquired curtly, "Who are you, sir?"

With an obsequious bow, Joseph answered—"You are the Right Honourable Sir John Monro, and I am the Honourable the Bellman of Dundee."

The purpose of the visit was disclosed, and Dempster obtained the half-crown that was due to him, when, making a profound obeisance, the Bellman said—"I thank the Most Honourable Sir John Munro for his patronage and generosity."

Joseph Dempster was a member of the Seceders' Kirk, and for several years was precentor there. This brought him into good-humoured discussions with the clergy of the Auld Kirk, and his native wit often brought him off victorious. One day the Rev. George Tod, of St. David's Church, was chaffing Joseph, and he smartly took him up thus:—"Ou ay; I've heard you preachin' aboot Balaam's ass; but I'll wager, wi' a' yer Bible knowledge, ye couldna tell me what Awbraham's coo said whan he gied her a poke wi' his staff." "No, I could not, Joseph," said Mr. Tod, "and I don't think you could tell either, if it had to be told." "Hoot awa', man," said Joseph, "it jist cried 'Boo,' like ony ither coo!"

One day Joseph sprained his ankle on the High Street, and Dr. Crichton, who happened to pass, was asked for his advice. Being himself a humorist, the doctor thought to frighten Dempster. Shaking his head seriously, he said he was afraid the leg would have to be taken off. "Weel, weel," said Joseph contentedly, "in that case I'll rin the lichters."

Dempster lived in the Thorter Row, and on the evening of Tuesday, 28th July, 1840, he was coming down the stair leading from his house when his foot slipped, and he fell to the bottom, landing on his head. He was taken up, and medical aid procured, but at four o'clock on the following morning he passed away.

The newspapers of the time bore testimony to the esteem with which he was regarded. One writer says:—"However trifling the matter Joseph had to publish, his manner of doing it always attracted the attention of the passers-by. No Sovereign in Europe could address his Parliament or Diet with more pomposity than he announced the sale of a quantity of furniture in the Greenmarket, or the sailing of a steam vessel. In private life Joseph was highly esteemed for his general kindness and urbanity of manners. As far as his limited means would allow, he was always ready to assist the needy and destitute." No better epitaph need be desired than this, so frankly pronounced over Josie Dempster.

On 21st August, 1840, the Town Council appointed Alexander Ferguson to the post of Bellman, vacant by Dempster's death. He did not long enjoy the honours and emoluments, as he died in January, 1843, and has left no special record.

In the following month he was succeeded by another of the same name, and the fact of two Alexander Fergusons being in office successively has led to some confusion. The second Sandy Ferguson continued to perform his duties as Bellman till 22nd February, 1849, having thus completed six years of service.

There was a very odd circumstance connected with the second Alexander Ferguson. Shortly after his appointment as Bellman he fell on the ice and became cripple. From that time forth he had to obtain the aid of a donkey to assist in his official work, and there was something ludicrous in the appearance of Sandy Ferguson, mounted like Balaam on an ass, and solemnly ringing his bell to make proclamations. Ferguson, it is said, was a simple and inoffensive man, and although not distinguished for wit or personal eccentricity, his advent to the Greenmarket or High Street upon his Rosinante was sure to gather a crowd around him. His successor was Alexander Young, flax-dresser, who was appointed Bellman on 7th April, 1849, and regarding whom history is silent.

By the middle of last century the newspapers had gained such a hold upon the people that an advertisement was of far more value than the announcements of the Bellman, which could only reach a few of the inhabitants. The office gradually became little more than a sinecure—a relic of times that had wholly passed away.

## XVII.

## DAN M'CORMICK, THE LEARNED TOWN DRUMMER.

THERE have long been current in this quarter several floating traditions about Dan M'Cormick, the Town Drummer of Dundee, some of the stories being true, and others evidently invented. But the true story of Dan M'Cormick is even more wonderful than any of the fables that have been concocted regarding him. More than ninety years have elapsed since his death, and there can be no one alive who can remember Dan's appearance. Yet his name has been so long familiar to Dundonians that an outline of his career will be interesting to many readers.

Though Dan M'Cormick was a prominent official in Dundee for over 30 years, there was little known during his life-time of the strange events in his career before he came to the burgh. His parents belonged to Lochaber, his father being in business as a dyer, apparently at Fort-William. He had succeeded in making a fair living there, but being ambitious and desirous of a larger field for the exercise of his abilities, he removed to London about 1758, and pursued his trade there. Much mystery surrounds this incident, and Dan M'Cormick was very reticent regarding it.

The likeliest theory is that Dan's father was "out in the '45," as there were six M'Cormicks from Fort William among the followers of Stewart of Appin, on the side of Prince Charlie, five of whom were slain at Culloden, and one escaped with a wound. It seems very probable that the father of Dan was this hero; that he returned to his old occupation; but that the strong feeling against the Stewart vassals which arose about the time of the execution of James Stewart of Acharn for the alleged murder of Colin Campbell of Glenure made it expedient for M'Cormick to "gang south." At least, it is certain that he settled in the east end of London; and there his son Dan was born about 1760.

Misfortune overtook the M'Cormick family. The father was not successful in business. The mother died, leaving an



only son ; and while Dan was a mere lad the death of his father left him a penniless orphan. Dan had been employed in his father's trade, but he was too young to battle alone in a strange land. Some of his kinsfolk in Lochaber persuaded him to return to the home of his fathers, and about 1775 he left London for Fort-William.

He had no trade save that of his father, and he tried to re-establish the old connection which the elder M'Cormick had formed. The attempt was unsuccessful, and, indeed, he was not fitted to conduct a business with small capital. His tastes were literary, not commercial, and when he was reduced to straits he determined to wind up his affairs and to leave Lochaber, to which place he was to return no more.

It was about 1780 that Dan M'Cormick made his way to Glasgow, his poverty drawing him thither that he might earn his daily bread, whilst his thirst for book-knowledge made him prefer a University town which had also a large commercial population. What occupation he followed in Glasgow is not known, though it is likely that he would find employment at some of the mills where dyeing work was carried on. In his leisure hours he assiduously devoted himself to study, and as "a lad o' pairts" he made considerable progress in his self-education.

Meanwhile his clansmen in Lochaber, having heard of Dan's devotion to literature, took steps to have him educated for the Roman Catholic priesthood. He had displayed an astonishing faculty for acquiring languages ; and it might have been possible to have gained admission for him as a student of the Scots College in Paris, or at one of the establishments for Scotch students in Rome and in Valladolid. Here the element of mystery comes again into Dan M'Cormick's life. He did not enter any of these Colleges, and if the case was adopted by any of the few wealthy Roman Catholics then in Glasgow, no record has been preserved of the steps taken.

Nevertheless, the fact is unimpeachable that he became a miniature Mezzofanti in his mastery of languages ; and in his early days knew Hebrew, Greek, and Latin, besides his Gaelic mother tongue, so that he must have had some tutor able to instruct him orally, for the means of self-instruction in those days were very meagre.



What was it that interrupted a career of so much promise, and imposed a barrier to his progress which he was never able to surmount? What hindered Dan M'Cormick from becoming the most learned priest in Scotland instead of a mere civic official with limited and formal duties? That will never be known. It was while Dan lived in Glasgow that fierce anti-Popish riots raged, and all the Roman Catholics—then but a small number—were put under the ban.

He may have wavered in his attachment to the creed of his fathers; or, more probably a love affair taught him that he was not well-fitted to become a celibate priest. Whatever was the obscure cause, he definitely abandoned his purpose, and about 1790 he enlisted in the 5th or Argyllshire Regiment of Fencibles, resigning the gown of the priest that he might take up the sword of the soldier.

For nine years Dan M'Cormick served in the ranks as a common soldier. His learning did not enable him to attain a higher grade, though his conduct must have been irreproachable from the following incident in his career. The Argyllshire Fencibles, under Lieutenant-Colonel J. Campbell, were quartered at Dudhope Castle—then used regularly as the Barracks—from October 6, 1798, till March 11, 1799, and during that time Dan M'Cormick had come into contact with the famous Provost Riddoch. The dread of a French Invasion was then prevalent, and the Provost, being of a martial disposition, set about raising a Forfarshire Regiment of Volunteers.

On 11th March, 1797, the Town Council offered to raise a body of men, to be called the Second or Light Infantry Dundee Volunteers, reserving the post of Colonel for the Provost ex-officio, and nominating officers. The Government accepted the offer, and the corps was ultimately formed by Provost Riddoch.

To assist him in organizing this Regiment he procured, through personal influence, the discharge of Dan M'Cormick and some of his comrades; and these were installed as the Drill Instructors of the first Dundee Volunteers. Dan's ability placed him in a rank superior to that of his comrades; and to make sure that he would not leave the burgh he was appointed by special Act of Council, dated 9th November, 1801, one of the Town's Officers, and was thus thirled to Dundee.

So rapidly did M'Cormick fulfil his task that in February, 1804, the 4th Battalion of the Forfarshire Volunteers, numbering 357 officers and men, was quartered in Dudhope Castle, and remained in barracks for over two months. The officers were Lieutenant-Colonel Riddoch and Major William Scott. During April, 1804, the 1st Battalion of the Forfarshire Volunteers (300 men) under Lieutenant-Colonel John Colvill, did barrack duty for a month at Dudhope Castle, so Dan M'Cormick was kept fully employed.

The accidental circumstance of M'Cormick being in Dundee as a common soldier had thus the effect of settling the rest of his career. In 1810 he was appointed Town Drummer, his duty being to make proclamations by tuck of drum, and to perform the civic and official duties which did not fall within the province of the Bellman. Dan had spent his leisure hours as a soldier in extending his linguistic studies.

He had mastered several tongues which now only fall under the cognizance of a Professor of Oriental Languages. Gaelic he had known from infancy; Hebrew, Greek, and Latin he had acquired in Glasgow; Welsh he had studied in Jones and Morris's Dictionary and Grammar; he had wrestled with Arabic, struggled with Syriac, had more than a bowing acquaintance with Samaritan, and was familiar with the current literature of France, Germany, and Italy. Indeed, had he been Town Drummer of some cosmopolitan port in the Mediterranean, he might have made his announcements in about twelve different languages.

Besides all these accomplishments, it is recorded by a contemporary that "he was well skilled in music, and while in the vigour of life his performance on wind-instruments was considered excellent." Truly, one might have searched the kingdom through without finding so rare a phenomenon as the learned Town Drummer of Dundee.

While thus going on his official rounds as Drummer, and acting as Town Officer and Billet-Master—for Dan was a pluralist—M'Cormick still kept up his literary studies. He had gathered together many special works relating to the languages with which he was familiar, and the mania for book-collecting took hold upon him after his settlement in Dundee. He had then means for accommodating books such as he could not have in barracks as a soldier; and in course

of time he collected a very remarkable library. Its extent and quality may be imagined when it is stated that the sale of M'Cormick's books after his death was spread over five days.

The catalogue of this sale, which took place in the rooms of John Carfrae & Son, Edinburgh, from 1st to 5th April, 1833, shows 795 lots, including considerably over 1000 volumes. There were books on Divinity, Oriental and Biblical Literature, Philology, Classics, and general literature in Greek, Latin, Hebrew, Gaelic, French, and German. Many of the volumes were of the sixteenth and seventeenth centuries, and would bring large prices at the present day. Modern literature was represented by first editions of most of Scott's novels and poems; Byron's works, volumes by Mrs. Hemans, Barry Cornwall, Jane Porter, Maria Edgeworth, and Burns. Hebrew seems to have been M'Cormick's favourite study, as he had quite a number of rare publications in that language. And thereby hangs a tale.

It is related that on one occasion a Professor of Hebrew visited Dundee for the purpose of forming classes for the teaching of that language. He interviewed one of the ministers in the town, and while they were walking along the High Street they encountered Dan M'Cormick. The cleric, being a wag, thought he would have a joke at the expense of the Professor, and, stopping Dan, he introduced him to the stranger as the Town Drummer, and explained the cause of the Professor's visit. Dan began to question him as to his method of teaching Hebrew, and pulled a Hebrew Psalter out of his pocket to illustrate his remarks. The Professor stood aghast! Evidently there was no room for him in a burgh where the Town Drummer knew more about Hebrew than he did; so he quietly decamped.

Another version of this story was long current. A Professor of Hebrew did visit the town for the purpose stated, and called upon a venerable D.D. to ask his advice. The Doctor referred him to Dan M'Cormick, and the Professor, having found Dan, had a long and delighted conversation with him on many recondite subjects. His conclusion, freely expressed afterwards, was that the Town Drummer would have made an excellent Doctor of Divinity, while the Doctor of Divinity was only fit to be a Town Drummer!

Whether M'Cormick had been disappointed in love early



in life, or had merely thought that marriage would distract him from his studies, is not known. He was never married, though, as a writer remarked at the time of his death, "he lived the life of a bachelor, but he was not indifferent to the attractions of the fair. He has left a daughter behind him." It is not improbable that an attachment formed by him while in Glasgow was rudely broken off for some obscure reason, and thus the whole current of his life was altered. Where the daughter came from, or where she disappeared, is not recorded. Dan M'Cormick died on 14th December, 1832, having been in the service of the town for over 30 years.

No sooner was the death of Dan M'Cormick, the Town Drummer, announced, than applications for the office poured in to the Town Clerk. From the Council minutes of 27th December, 1832, it appears that no fewer than ten aspirants had sent in petitions. Among these were two sergeants of police, a vintner, a spirit-dealer, and two sheriff officers, and, strangely enough, Arthur Wood, auctioneer, who was executed for murder in 1838, was ambitious to serve the burgh as Town Drummer.

The Magistrates were directed to consider the expediency of separating the three offices which M'Cormick filled as Drummer, Town's Officer, and Billet Master. The Magistrates reported to the Town Council on 31st January, 1833, and the matter appears thus in the minutes:—

"The Council on considering a report from the Magistrates on the remit to them contained in the Council minutes of 27th December last, resolved that it is inexpedient to supply the vacancy occasioned by the death of the late Daniel M'Cormick, Town Officer and Town Drummer, by the appointment of an officer with the usual salary. The Council, therefore, in terms of the recommendation of the Magistrates, nominated and appointed, and do hereby, with the declaration after-mentioned, nominate and appoint John Fraser, sheriff officer in Dundee, to be a Town Officer and Town Drummer in the burgh of Dundee, as enlarged, during the pleasure of the Council; under which appointment it is specially declared that the said John Fraser shall only be entitled to receive the usual suit of clothes yearly; but he shall not be entitled to any



salary or other emolument from the Council; his emoluments under the appointment being limited to his Officer's dues for the execution of Burgh Court Summons, Decrees, Precepts, and other writs; and to the usual allowance as Town Drummer for proclaiming notices, proclamations, and advertisements by the Drum; and these emoluments, dues, or allowances to be payable by his employers in these capacities."

James Miln, Council Officer, was appointed Billet Master at a yearly salary of five pounds.

John Fraser continued in office as Town Drummer for a long period. He was succeeded by James Baird, who acted in that capacity from about 1851 till 1871. His assistant, Graham Laing, became official Town Drummer at that date, and continued till 1878. James Robertson, Council Officer, was then appointed, and the triple offices were renewed; but he only acted officially once as Drummer, proclaiming the Lady Fair in 1878. He acted as Billet-Master up till 13th December 1880, but this office was then transferred by Act of Parliament to the Chief Constable. James Robertson died in November, 1911, having filled the office for 34 years. The Council officers are now the sole representatives of the former civic dignity of Dundee.

## XVIII.

## THE LAMB FAMILY IN DUNDEE.

## A STORY OF TRIAL AND TRIUMPH.

## THE REMOVAL OF A FAMILIAR LANDMARK.

THE death of Mr. James W. Lamb, of Lamb's Hotel, which took place on December 31, 1904, removed the last of the sons of Thomas Lamb, whose name was long familiar in Dundee. It may interest readers to know the veritable history of a family that for many years exercised a powerful moral influence in the city.

Even though the designation of "Lamb's Hotel" has now disappeared, the name will be preserved by the magnificent Lamb Collection of local history and antiquities, now located in the Dundee Museum; and future generations will more fully appreciate the work accomplished by the members of this family than their contemporaries have done. Nearly a century and a quarter has elapsed since Thomas Lamb was born, and during the first half of last century he was privileged to do more practical good in reforming social customs than almost any other citizen of Dundee.

Thomas Lamb was born in 1801, within the house in Lamb's Lane, Forebank, Dundee—a narrow thoroughfare that runs parallel with Dens Road—which was occupied by his father, John Lamb, manufacturer. The name of Lamb's Lane had been given to this street because at an earlier time it had led to the humble "four-loom shop" of John Lamb's elder brother; and even so far down in time as 1822, the name of this John Lamb figures as a manufacturer "in the Dens."

So far as the family tradition goes, John Lamb was a stern Calvinist and a thoroughly upright man—one of the old type of Scotsmen who preserved a savour of Covenanting times even amid modern development.

As a boy, Thomas Lamb was strictly trained in the tenets of the older school of theology, his practical education being

obtained in the nearest parochial school. Brief time was then allowed for scholastic training, and young Lamb was soon put to learn handloom-weaving, which was then the most lucrative employment.

His mind, however, did not lie towards a mechanical craft. He had often wandered out to the Den of the Mains, to Baldovan, and to the Sidlaws, and studied natural botany in scenes of "Nature's wildest grandeur." So ardent did his love of nature become that he gave up the loom for the spade, and served his apprenticeship as a gardener with a nurseryman in Cupar-Fife. He obtained a situation as gardener at Castle Huntly, in the Carse of Gowrie, and remained there several years, till his health broke down, and he was compelled to resign.

Being both frugal and industrious, Thomas Lamb had saved some money, and he was advised to use his capital to start as a grocer, and afterwards as a spirit dealer. He rented a shop at the east end of the Murraygate, and carried on for some time a fairly successful business.

After two years of this occupation, in 1828 he married Miss Crawford, daughter of Alexander Crawford, shoemaker, a member of a family that had long been connected with the Cordiner Craft in Dundee. Miss Crawford was then scarcely out of her teens, having been born in her father's house at Fairmuir in 1808; but she was of a practical turn of mind, and proved a faithful and industrious wife.

Shortly after this marriage there began in Dundee the first Temperance Crusade, and Mr. Lamb attended, through curiosity, some of the meetings, and heard especially the stirring addresses delivered by William Cruickshanks, known as "the teetotal coal-carter." He was deeply impressed by the descriptions of the horrors caused by excessive drinking, and he determined that he would no longer have a share in causing such ruin and misery. He discussed the matter with his wife, who entirely agreed with him; and they decided to give up the spirit trade.

A mere business man would have striven to regain his ill-invested capital by selling the drink he had purchased; but Thomas Lamb was too sincere and straightforward to take this method. He had only had the license for a few months when he and his wife, with their own hands, emptied all the

alcoholic liquor in their possession into the drain. This apparently Quixotic proceeding almost spelled ruin for them at first; though ultimately it brought them many friends. Mr. James Brown of Lochton, and others who had adopted the temperance principles, rallied to the support of the Lambs.

Often in later years, Mrs. Lamb declared that the happiest moment of her life was when she got rid of "the accursed thing," which weighed like an incubus upon them both. Nevertheless, they had practically to begin life again.

Thomas Lamb's practical mind early discovered that if young men were to be kept secure from the temptations of the public-house, some other attractions must be offered. Accordingly he removed in 1830 to the premises at 30 Murraygate, on the south side of the street, and conducted his grocer's business in the shop, fitting up the flat above as a coffee-room, supplied with newspapers. The plan succeeded beyond anticipation. In 1833 he added the manufacture of pastry and confectionery to his other business, and soon became one of the best purveyors in town.

The Coffee-Room in the Murraygate was speedily one of the literary centres in Dundee. The Literary Societies, which had formerly met in various small and cheerless rooms in different parts of the town, now found it more convenient to hold their meetings in Mr. Lamb's comfortable establishment. In all these meetings Mr. Lamb took a kindly and paternal interest.

The first of these Societies to make the Dundee Coffee-House a regular resort was "The Literary Coterie," afterwards named "The Dundee Literary Institute;" and with it were connected some of the young men of about a hundred years ago, not a few of whom attained to literary fame. The "Dundee Naturalists' Association," led by George Lawson, afterwards Professor Lawson of Canada; the "Literary and Scientific Institute," with James Adie, the geologist, at its head; the "Literary Emporium," with which the late Rev. James Inches Hillocks was connected; and the "Dundee Temperance Mutual Improvement Society," were all wont to hold their meetings in the famous Murraygate establishment.

The name of "The Halls of Lamb" was given to the place in consequence of a parody on Byron's "Isles of Greece," which was written by Mr. John Syme, and in which the poet seemed to return to the scene of former literary contests:—



The Halls of Lamb! the Halls of Lamb!  
Where Scrymgeour fought and Henry sung,  
Where on the lips of Tawse and Cramb  
"The Union" once enchanted hung—  
The Old Gas Company lights them yet,  
But all their ancient glory's set.

The late Mr. John Paul in his Inaugural Address as President of the Dundee Burns Society, on October, 1904, took "The Halls of Lamb" as his subject, and identified all the heroes named in the poem.

The Murraygate business became so prosperous that the place had to be extended; but in 1838 Mr. Lamb put into practice a new idea. At that time only about one half of Reform Street had been built, the portion furthest from the High Street being then a receptacle for refuse of all kinds.

Mr. Lamb leased a part of this ground, at the corner of the Howff, from the Hospital, and there he erected a wooden building—on the site of the later hotel—which he called the "Tea Gardens." His advertisement, which appeared in the "Dundee Advertiser" of 13th July, 1838, sufficiently describes the place:—

Thomas Lamb, confectioner, Murraygate, respectfully solicits a visitation to the Saloon, top of Reform Street, west side, which he opened on the day of Her Majesty's Coronation, and which he is to continue during the summer months, for the sale of confectionery, ginger beer, tarts, pies, biscuits, etc. Newspapers taken in—Dundee Advertiser, Courier, and Chronicle; Edinburgh Scotsman, Pilot, and Scottish Guardian, Tait's Magazine, and Chambers's Journal.

This venture was so successful that in November, 1838, Mr. Lamb opened another saloon behind the first one, and occupied it as a Reading-Room and tea and coffee-house. In his advertisement of 2nd November, he states "it is opened on the principles of those who are opposed to the use of intoxicating liquors, alcohol not being among the articles sold."

The shop at 30 Murraygate was left in the charge of Mrs. Lamb, while her husband devoted much attention to the Reform Street Saloon.

The next development of the Saloon was the erection of a

Hall for meetings, capable of accommodating 200 people. In 1843 an additional piece of ground on the south of the saloon was rented, and here Mr Lamb used his skill as a gardener by laying it out with flower-beds, gravel walks, a rockery, fish pond, and fountain—quite a pleasure garden on a miniature scale. It was opened on 28th June, 1843, and soon became a popular resort.

In December of the following year Mr. Lamb opened another Coffee-House at the West Port, which Mrs. Lamb took under her charge, while the eldest daughter, Miss Lamb (Mrs. Kidd), looked after the Murraygate establishment. A great change was made shortly afterwards. Mr. Lamb believed that a temperance hotel for commercial travellers would prove as popular as the residential hotels that had been put up in Edinburgh and Glasgow. Accordingly he feued part of the Tea Gardens ground in Reform Street, and built the first part of the Hotel.

On 30th July, 1852, Lamb's Temperance Hotel was opened, Lord Kinnaird presiding at the ceremony. For 14 years the hotel progressed rapidly. At length, in March 1866, Mr. Lamb acquired the ground at the north-west corner of Reform Street, and built the handsome block that formed the Hotel, which was opened in the autumn of 1867, shortly before the meeting of the British Association in Dundee. The business was then concentrated in this one spot, the shops in Murraygate and West Port having been given up.

Having started the Hotel on the best lines then adopted by similar institutions in Edinburgh and Glasgow, Mr. Lamb next turned his attention to dairy-farming. He rented Brewhead Cottage, near Birkhill, and devised a model farm there. But fate had decreed that he was not to see the result of all his labours. In 1868 he fell into bad health, and on 31st October, 1869, he died, being then 68 years of age.

The hotel business was successfully carried on by Mrs. Lamb and her two sons, A. C. Lamb and J. W. Lamb, with Miss Eliza Lamb. All these have now passed away. Mrs. Lamb survived her husband for almost 20 years, dying on 21st March, 1889. Miss Lamb's death took place on 2nd July, 1894. Mr. A. C. Lamb died on 29th April, 1897; and Mr. J. W. Lamb on 31st December, 1904. Thus the story of Thomas Lamb and his family covers the whole of the nineteenth century.

After the death of Thomas Lamb, the most prominent member of the family was his elder son, Alexander Crawford Lamb, whose name for many years was a household word in Dundee. He was born on 21st February, 1843, and educated at the High School. Having the prospect of succeeding to the control of his father's business, he was regularly apprenticed to the baking trade, and afterwards held situations in hotels at Liverpool, Manchester, and Edinburgh. He was 26 years of age when he returned to Dundee to take the position vacant through his father's death; and from that time till his death in 1897 he was the principal active partner in the firm.

While immersed in business, Mr. Lamb found leisure to cultivate his literary and artistic tastes. He formed a very select cabinet of valuable pictures, and his library at the time of his death contained many rare works, among these being the "unique" copy of the first Kilmarnock edition of Burns's Poems, which was sold at the then extreme price of £572. But it was as a collector of relics of Dundee that Mr. Lamb did the greatest service to his native city.

When the Improvement Act of 1871 came into operation, Mr. A. C. Lamb foresaw that many of the old characteristic buildings would be demolished. He began, therefore, to preserve records of these by photographs and drawings, and as he was constantly adding to this private local museum he had formed an extensive collection of maps, views, antiquities of various kinds, portraits of notable Dundonians, and relics of Dundee. In 1892-93, when the Old Dundee Exhibition was organised, a large proportion of the exhibits was from Mr. Lamb's collection. Some time after his death in 1897, it seemed likely that these treasures, which had taken about 30 years to bring together, would be dispersed; but in November, 1901, Mr. Edward Cox generously came forward, acquired the collection, and presented it to Dundee for preservation in the Museum. The Lamb Collection has no precise parallel in any of the Scottish cities; and it will long serve to perpetuate the memory of one of Dundee's most loyal citizens. The elaborate book which was brought out by Mr. Lamb under the title of "Dundee: Its Quaint and Historical Buildings," is equally without a rival in Scotland. Verily, the members of the Lamb family have accomplished much for their native city.

After the death of Mr. James Lamb in 1904, the business was transformed into "Lamb's Hotel Limited," and was managed by his surviving daughter, Miss Lamb, and his son-in-law, Mr. George Kerr. The Hotel had become such a favourite resort both for visitors and residents that it was a veritable landmark in the City. At length, in 1922, the Limited Liability Company was wound up, and the building was acquired and fitted up for business premises under the designation of "Meadow House." Portions of the original building are still occupied as Restaurants, but there is no longer a "Lamb's Hotel."



## XIX.

## ROYAL VISITS TO DUNDEE.

THE connection of Dundee with the Royal Family of Scotland dates from a very early period. There is a tradition that Malcolm Canmore, who reigned from 1057 till 1093, had a residence in the burgh, though proof of this statement has not been found. Malcolm's seventh son, Eadgar, began to reign in 1097, and it is stated that he died at Dundee in 1107.

Some of the old chroniclers record that Eadgar's death took place "in Dunedin," though Andrew Wyntoun, the Prior of Lochleven, who wrote his rhyming Chronicle about 1406, distinctly states the place of Eadgar's death to have been Dundee. As he uses the name as a rhyme-word, he could not mistake it, and though sometimes poets are driven to severe straits to get their rhymes to clink, it is not likely that Wyntoun would have introduced Dundee instead of Dunedin. He may have been misinformed, however. The passage in Wyntoun's quaint old Scottish language reads thus:—

A thowsand a hundyre yhere and seven  
 Fra Mary bare the Kyng off Hevyn,  
 Off Edgare, oure nobill Kyng,  
 The dayis wyth honoure tuk endyng;  
 Be-north Tay in till Dunde  
 Tyll God the spyryte than yhald he.  
 And in the Kyrk off Dwnfermylne  
 Solemply he was enteryd syne.

If the alleged house of King Malcolm Canmore was in Dundee, it seems to have passed out of the possession of his successors, for when they visited Dundee, they either resided with the Constable at Dudhope Castle, in the Franciscan Monastery, or in the house in the Seagate which belonged to the Abbots of Balmerino. The exact dates when the early Scottish monarchs visited Dundee can be discovered by the charters and deeds which they signed here.

On 9th February, 1226-7, Alexander II. granted a charter to the Preaching Friars of St. Andrews, which he signed at Dundee. Alexander III. signed a charter to the Abbey of

Balmerino, dated at Dundee, 18th July, 1285. King John Balliol (whose mother, Devorgilla, founded the Franciscan Monastery) summoned certain of his subjects to do homage to him at Dundee on 24th February, 1292-3.

When Edward I. of England marched through Scotland, he arrived at Dundee on 6th August, 1296, and remained for one night, probably staying in the Castle. Robert the Bruce was twice in Dundee—on 21st October, 1314, a few months after Bannockburn, and again on 29th November, 1327, shortly after the death of his Queen. David II. was long a prisoner in England, yet he visited Dundee no less than eleven times between 1342 and 1370, and during the last five years of his life he paid the burgh an annual visit.

Robert II., the first of the Stewart Kings, was an almost annual visitor. His son, Robert III., was in Dundee on 9th March, 1390, and 7th April, 1392. James I. of Scotland resided at Dundee during the five days that elapsed between his coronation at Scone on 21st May, 1424, and the opening of his first Parliament at Perth. James II. was in Dundee on 5th May, 1457, and James III. was thrice in Dundee in 1464, and signed several important charters.

Dundee seems to have afforded special attractions to the gallant James IV. In the September of the year of his accession, 1488, he resided for seven days at Dundee, and had various costly dresses made for him at that time. Evidently the King "had a high old time" when here, for there were 18 pounds Scots paid "to the Frenchmen that played before the King." It is not very clear whether these players were musicians, or mere rope-dancers and "tumbler," as the descriptive words are not very precise.

After this time James IV. visited Dundee annually, and signed many important documents here. On one occasion, in 1494, he had purposed visiting Dundee just after Christmas, and preparations were made for lodging the King in the house of James Rollok in Argyllis-gait (now the Overgate). But the King was suddenly called to the West of Scotland, and a claim was lodged for the expenses incurred.

On 22nd December, 1497, James IV. passed through Dundee on his way from Perth to Aberdeen, and remained for one night in the burgh, taking up his residence in James Rollok's house. In the Accounts of the Lord High Treasurer an entry shows

that the King was a munificent "paying guest" according to the rates current at the time:—"Item, to James Rollokis wif, quhar the King luyit all that nycht, be the Kingis command, xxxj shillings." This house apparently stood on the north side of Overgate, nearly opposite Thorter Row. James Rollok was one of the leading burgesses of the time, and was "Custumar" (Collector of Customs for the King) at that time.

In March, 1497-8, the King remained in Dundee for more than a week, and from that date till 1505 he was an annual visitor.

James V. was more frequently resident in Dundee than any other Scottish monarch. His name first appears as that of a visitor on 6th March, 1519, when he was barely seven years old. He returned thither in March of the following year. Dundee must have had special fascinations for him, as he frequently stayed in the burgh—probably at Dudhope Castle—for a fortnight or three weeks. In 1526-7 he remained here from 9th till 20th February, and in October, 1530, his residence was extended for three weeks.

Every year after this date till his death in 1542 the King visited Dundee, waiting occasionally for a fortnight. In 1540 he passed through Dundee on his way to Edinburgh, and was received by the burgesses with great jubilation. As the record quaintly puts it, he came with the Queen to Dundee, "quhair wes ane coistly entres prepairet for thame," as this was the Queen's first appearance here. It was while the King was at Dundee that he consented to meet his uncle, Henry VIII., at York; and his neglect of this promise ultimately brought about his downfall.

His mother, Margaret Tudor (sister of Henry VIII.), was also a visitor to Dundee, and from here she wrote a remarkable letter to her brother, dated 16th October, 1537, regarding her proposed divorce from her third husband Henry, Lord Methven.

Queen Mary regarded Dundee with special favour. Shortly after her return to Scotland in 1561, she made a Royal Progress through the kingdom, and "wes honourable ressavit" at Dundee. In 1562, after her successful expedition against the Earl of Huntly, she returned by Dundee, and resided here for several days in November. The Town Council entertained the Queen, and presented a "propyne" or gift of some kind, taking a special tax from the inhabitants to defray the cost.

On the occasion of her next visit to Dundee in September,



1564, she presented to Dundee the orchard formerly belonging to the Franciscan Monastery, to be used as a burial-place, that cemetery being the present Howff of Dundee, which was then described as being outside the burgh boundaries.

In September, 1565, the Queen led an army against the rebel Lords, and wrote at Dundee the letter summoning her people to arms. This was her last visit; but in April, 1567, she showed her goodwill to the burgh by granting the ecclesiastical property of the Catholics, which had been confiscated, to form what is still known as "the Hospital Fund," to be applied to the relief of the poor and for other public purposes.

James VI. was also a frequent visitor to Dundee. In April, 1589, he led an army to the north against Huntly, passing through Dundee at the head of the troops. In 1592, when the King wished to avoid meeting Parliament, he suddenly disappeared, and a contemporary writer tells that he was in hiding at Dundee for eight days.

On two later occasions James VI. marched through Dundee leading an army against the insurgent nobles; and in May, 1597, he attended the meeting of the General Assembly, and held a fierce altercation with Andrew Melville regarding the freedom of the Kirk. He was present at the General Assembly, held at Dundee in March, 1597-98; and he presided at a Privy Council meeting in Dundee on 28th October, 1601, when many of the Royal servants were made burgesses.

In 1617, when the King returned from England to visit his ancient kingdom, he was splendidly entertained at Dundee, remaining for a night at Dudhope Castle, and receiving addresses, Latin poems, and other forms of welcome, prepared by learned Dundonians.

Charles II. was thrice in Dundee upon memorable occasions. In June, 1650, he landed at Aberdeen and proceeded south by way of Kinnaird Castle, Forfarshire, to Dundee on his route to Falkland Palace. The following October witnessed the incident known in history as "the start." The King was at Perth when it was proposed to raise the nobles of Forfarshire to assist his escape. He set out through the Carse of Gowrie, rode in hot haste to Dudhope, and then, accompanied by the Viscount of Dudhope, he passed to Auchterhouse, Cortachy, and Glen Clova; but the plot was discovered, and he was intercepted and brought back to Perth.



On 21st February, 1651, Charles II. was in Dundee as a guest of Lord Balcarres, in whose house he resided. The welcome accorded to him at Dundee brought the vengeance of Cromwell upon the burgh, and was one of the causes of Monck's brutality at the Siege of Dundee in September, 1651.

The Chevalier de St. George (James VIII.) visited Dundee on 6th January, 1716, and remained for some time on horseback at the Cross, in the midst of a snow storm, to receive the homage of his numerous supporters in the burgh. He lodged for the night in the house of Sir George Stewart of Grandtully, which stood on the Castle-hill almost on the site of the Royal British Hotel.

From 1716 until 1844 no British Sovereign visited Dundee. The first of the Hanoverian Dynasty to come here was Queen Victoria, and she was twice in Dundee. On 9th September, 1844, the Queen, Prince Albert, and the Princess Royal set sail from Woolwich in the yacht Victoria and Albert, designing to land at Dundee and pass through the Highlands to Blair Atholl.

Great preparations were made for this event. A temporary triumphal arch was erected at Dundee Docks where the party was to land, its site being now marked by the Royal Arch erected some years afterwards. The town was decorated in honour of Her Majesty, and the reception accorded was very hearty. When returning from Blair Atholl, the Queen again passed through Dundee, embarking at the port on 4th October.

The next visit of the Queen was on 20th June, 1879, when she made her journey southwards by way of the first Tay Bridge, which had been opened for traffic in May of the previous year. Provost Brownlee then presented an address to Her Majesty. On 19th June, 1891, the Queen passed through Dundee on her way from the North, and for the first time made a continuous journey over the Firth of Tay and the Firth of Forth by the two great viaducts.

The Prince and Princess of Wales (afterwards Edward VII. and Queen Alexandra) embarked at Dundee for Copenhagen on 3rd September, 1864; and Queen Alexandra visited Dundee in 1907 and 1910, when on her way to Denmark and Norway. On 10th July, 1914, George V. and Queen Mary visited Dundee with the Princess Mary, and were loyally received.





Dudhope Castle as it was.



## XX.

## FRENCH SPIES IN DUNDEE.

MANY will remember the dread of an invasion of this country by the French in 1861, which gave rise to the Volunteer Movement. Great as was the excitement at that time, it could not be compared in intensity to the wave of terror which swept over Great Britain 60 years earlier, when the threatened invasion by Napoleon Bonaparte in 1801 set the whole nation agog with patriotic excitement. Ireland had been somewhat unwillingly united to Great Britain after a protracted campaign against the rebels of 1798; and the embers of revolt were still smouldering there.

In Scotland the landing of "the Mounseers," as they were called, was confidently expected; and the east coast, it was thought, would be the first point attacked. Lunan Bay was named as the spot chosen by Bonaparte for the landing of a great army that was to march upon Edinburgh, while another army, landed at Dover, was to capture London.

Readers of Scott's novel, "The Antiquary" will remember how this exciting period is described, with Fairport (Arbroath) as its centre, and Musselcrag (Auchmithie) as the harbour nearest to Lunan Bay. This expectation of the French spread all along the coast towns of Forfarshire and Fife; and naturally caused distrust of any one who, by eccentricity of garb or outlandishness of speech, betrayed a foreign origin. Dundee, as a seaport easily accessible from the North Sea, was especially subject to fits of suspicion, and the following true story gives a veritable picture of the feelings excited by what was called "the threatened invasion."

There were two American students at Edinburgh University in 1801, named John Bristed and Andrew Cowan. They were both from New York, the former studying law, and the latter medicine; and both afterwards attained distinction, Bristed becoming a barrister of the Inner Temple, and Cowan taking his M.D. degree. Dr. Cowan published a remarkable book in 1803 entitled "Anthropaideia, or a Tractate on General Education;" and Bristed wrote two volumes describing "A Pedestrian Tour through part of the Highlands of Scotland in

1801," from which the story of his adventures in Dundee has been taken.

It must be owned that John Bristed is as prosy a literary bore as can be found in the literature of his time. He devotes 75 pages of his introduction to a detailed analysis of Dr. Cowan's "Tractate;" and he intrudes throughout his book numerous long quotations from the classical authors, from Shakespeare, Pope, Samuel Butler, and other English poets, and—most wonderful of all—from Robert Burns, with whose poems, at that early date, he was familiarly acquainted. The adventures of the two travellers on their memorable tour are told with a prolixity that tries the patience of every reader, but the story is valuable as showing the condition of Scotland at a time when tourists were few and the means of travelling were scanty.

At seven o'clock in the morning of 1st August, 1801, John Bristed and Andrew Cowan set forth from Edinburgh in quest of loud and strange adventure. They decided to disguise themselves as sailors, with check shirts, jackets, trousers, and knapsacks, Bristed wearing huge goggles so as further to make himself unrecognisable. They travelled to Leith Pier, their uncouth appearance provoking much laughter, and there they crossed the Firth of Forth, landing at Pettycur, which was then the Fife harbour for the ferry. Thence they proceeded by East Wemyss, Leven, and Largo to St. Andrews, meeting many strange natives of Fife who were much diverted by the costumes and language of the tourists.

At St. Andrews they visited the widow of Principal Joseph M'Cormick, who received them very coldly. They made their way to Dundee Ferry (Newport) without any startling adventures, and entered the pinnace which was to carry them across the Tay. One of their fellow-passengers was Mr. Jonas Watson, "a tobacconist in the town of Dundee, a reputable tradesman, who has a son at Charleston in America in a thriving mercantile business." He advised them to seek lodgings in the inn kept by Peter Cooper at the Shore-head (Fish Street), and immediately on landing at Dundee harbour they made their way to Cooper's place.

While they were travelling through Fife, they had an inkling, from the suspicious looks directed towards them, that they were regarded as spies. This suspicion had been confirmed by

Bristed and Cowan frequently disputing upon classical questions and quoting Latin, which the natives mistook for French. These rumours had preceded them to Dundee, and already they were spotted as emissaries of Napoleon, sent out to view the land.

Peter Cooper, "the little consequential hero of the tap," at first was unwilling to have anything to do with these strangely-attired travellers, but Bristed began a flattering oration about the courage, generosity, and hospitality of Scotsmen, and told him a number of brazen lies about the Scottish emigrants who had risen to eminence in America, so Cooper relented, and showed them into "a dark and dismal room upstairs, at one end of which stood two beds in a dreary recess."

Here Bristed began to write up the journal of the tour, and then he and Cowan started a discussion on the comparative merits of Plautus and Terence, quoting Latin copiously. Probably Cooper overheard this lingo, and it confirmed him in the notion that they were two French spies. He suddenly burst into the room, and told them that two gentlemen were below who wished to speak with them. He was directed to show them up to the room, and Bristed's narrative proceeds thus:—

"Soon thereafter entered the room in which we were, a person whose appearance, manner, gesture, and address all declared that he was organized to be a gentleman; he was followed by M——. Mr. Sterling, the gentleman who entered with M——, said,—I beg pardon, gentlemen, for this intrusion, but we are under the unpleasant necessity of troubling you and wounding our own feelings, because no less than four informations have been laid before us as Magistrates, that two strangers of a very suspicious and dangerous appearance were gone into Cooper's public-house.

"Now, at this critical moment, when all the nation is under the alarm and dread of an invasion from our enemies the French, who seem determined to leave nothing untried which fraud can contrive or force can execute in order to effect the ruin of this country, we, who are in a civil capacity, are obliged to be very watchful and circumspect. We have, therefore, taken the liberty of waiting on you, gentlemen, merely to give you an opportunity of declaring who you are, and thereby



preventing all occasion of future molestation during your stay in the town of Dundee."

There is probably more of Bristed than of Sterling in this long-winded speech, but it brought the travellers to their bearings. They explained that they were Edinburgh students of American birth on a tour through Scotland; but as they had no papers to confirm their statements, Sterling hesitated. His comrade, M——, was more out-spoken, and stated that they dare not let such suspicious characters go; so Mr. Sterling was forced to send for his clerk that an order might be made to commit Bristed and Cowan to Dundee jail as French spies.

When the clerk came, he was even less credulous than the two Magistrates. He cross-examined them as to the Edinburgh Professors whom the accused knew, and as to other prominent citizens of the metropolis. Bristed replied:—"Sir, I have the honour of being known to Mr. Scott, who lives at 27 Queen Street [he should have said Castle Street], Edinburgh, an intimate and honoured friend of the late celebrated traveller, Abyssinian Bruce. Mr. Scott is a gentleman whom I love as much for the urbanity of his manners and the easy gracefulness of his conversation as I admire and revere him for the respectability and sterling integrity of his character."

It is interesting to find this early tribute of the merits of Sir Walter Scott from the pen of an American admirer; but it was not sufficient to satisfy the clerk. Then Bristed stated:—"I am also acquainted with Mr. Laing, a very respectable bookseller in Edinburgh, who lately purchased a library of books from the King of Denmark, and whose name is known and esteemed throughout the British Empire and on the Continent."

But Laing—the father of the late renowned Dr. David Laing of the Signet Library—was quite unknown to the Dundee worthies. The clerk ordered the accused to show how much money they had, and the smallness of the sum confirmed his suspicions. However, it was arranged that a letter should be written to Laing and this was done accordingly. Then M——, the Magistrate, went out for the constables that the two prisoners might be taken into custody.

While he was gone, Mr. Sterling informed the tourists as to the rumours current in Dundee regarding them. "Some declared that we were French spies, come with a determination

to murder all the people in the land; others said we were English deserters, who wished to hide ourselves in Dundee; some insisted upon it that we were Irish rebels, and ought to be hanged on the spot, as a specimen of British justice and an example of Dundee loyalty to the Sovereign of this Empire; others again contented themselves with mercifully insinuating that we were Wandering Jews, and should be put into the round-house for a few days, and then publicly whipt through the town, after which we might be sent about our business."

At length M—— returned with his myrmidons, and was about to carry off the hapless tourists to jail, when Mr. Sterling made a last appeal in their favour. He earnestly asked them if there was no one in Dundee, no medical students, who might know them; but Bristed could recollect no one. So Mr. Sterling determined to bring two Edinburgh students, resident in Dundee, to see the prisoners, on the chance that they might be recognised.

Shortly afterwards Mr. Sterling returned, bringing with him Mr. Patrick Nimmo, formerly a medical student, then settled as a doctor in Dundee, who remembered both Bristed and Cowan; and Mr. Watson, another "medical," came in and confirmed the statement. Bristed produced his diary, and got Sterling to write a certificate in it, which Nimmo and Watson signed. This document is placed on the front page of Bristed's book, and reads thus:—

"Mr. Bristed and Mr. Cowan, two young gentlemen of America, now students of Medicine at the University of Edinburgh, having been brought before me this evening as suspicious persons, or vagrants, who could give no good account of themselves, did satisfy me of their being what they said they were, by producing two gentlemen of this town, well known to me, who attended the classes along with them, and bear testimony to their characters.

Patrick Nimmo. Dundee, 7th August, 1801.

John Watson.

Patrick Sterling, D.L.

By our joint testimony we have delivered from durance vile our two fellow-students."

Here it may be mentioned that Dr. Patrick Nimmo was long the leading physician in Dundee, and survived till July, 1855. Being thus rescued from danger of imprisonment, the

two travellers invited Mr. Watson to spend the evening with them. Bristed is not very complimentary to Watson, describing him as "a slender, little boy, about twenty, with nearly as much meaning in his face as is expressed in those blocks of wood which support fashionable head-dressers in the shop windows of milliners and of barbers." Watson went to the Post Office to fetch back the letter which had been written to Mr. Laing.

The advent of the two strangely-attired pedestrians had thoroughly alarmed the inhabitants of Dundee. Watson told them "that all the town had been in an uproar; that men, women, and children were seen issuing out of the doors, hanging half-way out of the windows, and choking up the main street with a press of mortal carcases thronged together, and demanding the immediate execution of the two bloody-minded terrible spies, who were come with an intention to murder all the men, to ravish all the women, and eat up all the children in Dundee." They expected that the two spies "were going to be hanged directly on a gallows made on purpose in the very middle of the principal street in Dundee."

The jovial supper was prolonged till very late, and then Watson took his leave, "first seriously exhorting us to parade the streets of Dundee in the morning; not because the town contained anything particularly worth seeing, but that the sapient and humane inhabitants being all agog with expectation might have their laudable curiosity gratified by staring at two men arrayed in sailor's jackets, and which two men had been taken up the evening before on the well-grounded suspicion of their being two French spies." The tourists, however, did not take Watson's advice. "Just as the town clock struck five in the morning, we deemed it fitting to depart, and therefore set forward for Perth."

It is needless to pursue the two travellers further in their pilgrimage through Scotland. Suffice it to say that John Bristed deserves to be immortalised as one of the most intolerable literary bores who ever put pen to paper. He breaks off in the middle of the record of an incident to deliver a fifty-page disquisition upon "Female Delicacy," "The Education of Women," or stories hardly fitted for ears polite. The world of letters would not have suffered much had John Bristed been hanged as a French spy at the Cross of Dundee!



## XXI.

## DUNDEE LADY LITIGANT.

## THE MORMONS IN DUNDEE.

THERE are many forms of amusement in this world, but perhaps one of the strangest twists in the human mind which desires occupation of an unusual kind is that which makes the monomaniac take delight in litigation. It may be a latent love of gambling which tempts the litigant to plunge into law-suit after law-suit, revelling in "the glorious uncertainty of law;" or it may be the revolt of an independent spirit against some real or fancied injustice. Whatever may be its cause, the fact is undeniable that when the habit of having law-suits is formed it exercises a fascination as powerful and as destructive as laudanum-drinking or opium-smoking.

Scott refers in "Redgauntlet" to the inveterate litigant "poor Peter Peebles" as one of this class, and this character was a real personage, upon whose case the novelist was once himself employed as counsel.

Another veritable devotee of "a guid gangin' plea" was Andrew Nicol, who flourished—if that be the proper word—about 1792, and tasted all the sweets and bitters of the law's delays. He was a Kinross weaver, who claimed to have a right over a portion of ground upon which his neighbour had encroached; and for years Nicol put in motion, at great expense, all the ponderous machinery of the law to vindicate his rights, though the cost of a single action was more than he could have gained by a judgment in his favour.

Some eighty years ago a popular song was current, in which the fancied delights of the law were detailed, and one of the verses ran thus:—

If you're fond of pure vexation,  
And long procrastination,  
You're just in a situation  
To enjoy a suit at law.



Complaints against the law, however, are not of modern origin. About 350 years ago Sir David Lyndsay of the Mount humorously described the delays and dangers of the law in the quaint language of his period. The speaker had given the loan of a mare to his neighbour to cart coals, but by accident the mare was drowned at the quarry. The owner applied to the Consistory Court, and was baffled and perplexed for two years by diverse law processes, as thus detailed :—

#### THE LOST MARE.

Marie! I lent my gossip my meare to fetch hame coils,  
 And he hir drounit into the Querrell hollis;  
 And I ran to the Consistorie to pleinye,  
 And thair I happinit amang ane greidie meinye;  
 They gave me first ane thing they call *Citandum*,  
 Within aucht dayis I gat bot *Lybellandum*,  
 Within ane month I gat *Ad Opponendum*,  
 In half ane yeir I gat *Interloquendum*,  
 And syne I gat, how call ye it?—*Ad Replicandum*,  
 Bot I could nevir ane word yit understand him;  
 And than they gart me cast out mony plackis,  
 And gart me pay for four-and-twentie Actis;  
 Bot or thay came half gait to *Concludendum*,  
 The Fiend ane plack was left for to defend him.  
 Thus they postponit me twa yeir, with thair traine,  
 Syne *Hodie ad octo* bade me cum againe;  
 And than thir ruiks they roupit wonder fast,  
 For sentence-silver they cryit at the last.  
 Of *Pronunciandum* they maid me wonder fain,  
 —Bot I gat never my gude grey meare again!

One old Scottish proverb declares that “Law licks up a,” and another gives the sound advice, “Law’s costlly; tak’ a pint and ’gree.” But all this condensed wisdom has not prevented the confirmed litigant from finding supreme delight in a succession of lawsuits. The late Sir Robert Menzies, Bart., was a notable example of this curious habit. For half a century before his death he was hardly ever without a case in progress in the Court of Session. The story of a Dundee lady who suffered from a similar mania for law is now to be related.

Mary Ritchie was the daughter of Alexander Ritchie, a

prosperous shoemaker in Dundee, and was born there in 1789. Her father died when she was quite a girl, leaving what was then considered a large fortune at her disposal ; but Miss Ritchie was no sluggard, willing to live at ease upon the fruit of her father's industry. She had inherited acute business faculties from her parent, and before she was out of her teens she had entered into partnership with her friend, Miss Easson, and established a drapery concern, to which she devoted all her energies.

The business flourished exceedingly, so much so that before she had reached her fortieth year she was able to retire from active life, having made over £10,000, in addition to her father's legacy. It is related that when she was asked by a friend why she had retired while her powers were unimpaired, she replied that "she made that muckle siller that she was fear'd the Lord wad turn against her !" In this answer there may be found a trace of the religious feeling which afterwards produced one of the strangest incidents in her long life.

The retiral of Miss Ritchie from business had the unfortunate effect of turning her energies into another and more dangerous channel. It appears that when she was winding up the affairs of the drapery shop a dispute arose between her and her partner, the details of which need not here be given. Suffice it to say that from the Sheriff Court it was taken to the Court of Session, and after a protracted trial Miss Ritchie gained a decision in her favour.

Even yet the famous case of "Ritchie versus Easson" is quoted as having laid down a principle in commercial law ; and of this fact Miss Ritchie was extremely proud. Her experience in the Courts, however, had infected her with the legal mania, and of that disease she was never afterwards cured.

Some ladies find their chief solace in the society of ministers ; but Miss Ritchie preferred to spend her time and money with the lawyers. She became quite an expert amateur lawyer, and could "knap law" as glibly as Bartoline Saddletree in "The Heart of Midlothian." But that "Redgauntlet" was published in 1824, while the great case of Ritchie versus Easson did not reach the Court of Session till 1827, one might almost think that Scott had it in his mind when describing a curiously similar case in that novel :—

Peter Peebles and Paul Plainstones entered into partnership in the year—— as mercers and linen-drappers, in the Lucken-booths, and carried on a great line of business to mutual advantage. But the learned counsel needeth not to be told, *societas est mater discordiarum*, partnership often makes pleaship. The company being dissolved by mutual consent in the year ——, the affairs had to be wound up, and after certain attempts to settle the matter, it was at last brought into the Court, and has branched out into several distinct processes, most of whilk have been conjoined by the Ordinary. It is to the state of these processes that counsel's opinion is particularly directed. There is the original action of Peebles v. Plainstones, convening him for payment of £3000, less or more, as alleged balance due by Plainstones. Secondly, there is a counter-action, in which Plainstones is pursuer and Peebles defender, for £2500, less or more, being balance alleged, *per contra*, to be due by Peebles. Thirdly, Mr. Peebles's seventh agent advised an action of compt and reckoning at his instance, wherein what balance should prove due on either side might be fairly struck and ascertained. Fourthly, to meet the hypothetical case, that Peebles might be found reliable in a balance to Plainstones, Mr. Wildgoose, Mr. Peebles's eighth agent, recommended a multiplepinding to bring all parties concerned into the field.

Fortunately, in one sense, Miss Ritchie won her cause in the Court of Session, though not before she had changed her lawyers as frequently as did Peter Peebles. She became an adept at discovering clever young lawyers, and though she was frugal in the matter of fees, her cases often gave splendid opportunities for distinction.

Though Mary Ritchie had remained single until past her 40th year, she did not despair of meeting a lover, or at least securing a husband. No doubt she had faith in her fortune as a sure means of attracting a prospective husband, for she would be familiar with the verse:—

Be a lassie ne'er sae black,  
Gin she hae the penny siller,  
Set her upo' Tintock tap,  
The wind'll blaw a man till her.



But she had learned enough of law, she thought, to protect herself against the wiles of unscrupulous fortune-hunters. She therefore directed her Dundee lawyer, for the time being, to draw up a marriage contract in due form, providing for the settlement of her fortune upon herself and her children (if any), and only leaving the name and description of her future husband blank, to be filled up when he came on the scene and she accepted him. Curiously enough, this very legal document became a fruitful source of litigation for many years.

Having some distant relatives at Leamington, Warwickshire, Miss Ritchie left Dundee and settled there about 1832. Here she met a certain Mr. Alcock, wood merchant, whom she accepted as her husband, and whose name filled up the blank in the fatal marriage contract. But alas! Fortune did not smile upon her long-delayed nuptials. Apparently the husband desired to have more control of his wife's fortune than the strict terms of the deed permitted; and Mrs. Alcock's reverence for the law drove her into open rebellion. She deserted her husband, returned to Dundee, and then raised a suit in Chancery against him, demanding restitution of some of her money which he had obtained.

In those dismal days there was no Married Women's Property Act to protect the wife's property after marriage; and evidently Mr. Alcock did not think that the ante-nuptial contract which he had signed was binding upon him. In any case, the lady entered upon a new and varied course of legal experiences, with London as the scene of action instead of Edinburgh. Mrs. Alcock's name soon came to be as well known in the Court of Chancery as that of another distinguished lady of a later time, who prosecuted and persecuted the late Charles Gounod, the composer, for many years. In recording her career at this time, a local journalist remarks:—

After nursing her Dundee property for a time, she used to go off to London whenever she had two or three hundred pounds to spare, to have another spell of law, and to urge on her case. Her appetite for litigation grew by what it fed on; and, being in a position which enabled her to enjoy that expensive luxury, she did not stint herself of her peculiar enjoyment.

It became a special pleasure for her to take her case out of



one Dundee lawyer's hands and put it in the charge of another. Then the first task of the new agent was to fight against his predecessor's bill for legal expenses, a duel which always afforded her particular delight. The proverb declares that "he who is his own lawyer has a fool for his client." Mrs. Alcock was by no means a fool, but she had to pay very dear for her whistle. Many of the young Dundee lawyers who had to do with her cases afterwards gained eminent positions in the local legal profession.

There is always some compensating defect even in the most perfect character. One might have thought that so keen, hard-headed, and practical a woman as Mrs. Alcock was would have been least susceptible of religious emotion. And yet she became an ardent disciple of the latest "revelation" vouchsafed to mankind in the form of the Mormon Bible, by the hands of the Prophet, Joseph Smith.

It was early in the "forties" that the first Mormon Apostle reached Dundee in the person of the famous Orson Pratt, known among the faithful as "the Philosopher." He had the gift of oratory, a striking appearance, and a fluency of utterance that could awaken enthusiasm. In those remote days polygamy was never mentioned in this country in connection with Mormonism;—indeed, it was not until "Saintly Pilgrims" reached Utah that this form of social life was openly followed.

To the religionists with a tendency to emotion the new doctrine of Mormonism seemed but a revival of the Pentecostal grace that had attended the ministrations of John Wesley, George Whitfield, and other enthusiasts, who had succeeded in rousing the people from the torpor of indifferentism. In fact, the Mormon Apostle of 1840-50 was in many respects an anticipation of the modern Revivalist.

Orson Pratt was so successful by his street-corner preaching that he gathered a goodly number of followers in Dundee. Their meeting-place at first was in the Hammerman's Hall, Barrack Street, now part of Mr. Buchan's hall; and at a later date the Mormon Church assembled in the Wrights' Hall, Key's Close, in the Nethergate—one of the old closes swept away by the recent improvements. Many converts in Dundee and Arbroath ultimately made their way to Salt Lake City, the Home of the Saints.

How Mrs Alcock came under the influence of the Mormon preachers is not known. It is possible that as she lived just opposite their meeting-place in Barrack Street she may have been tempted to go into the Hall, and there her heart may have responded to the appeals of the enthusiasts.

One of the Dundee converts, Mr. Stenhouse, rose to eminence among the Mormons at Utah; and it is not unlikely that Mrs. Alcock was known to him. The wife of Elder Stenhouse—Fanny Stenhouse—after some experience of Utah, abandoned Mormonism, and published an exposure of it, in 1880, under the title “An Englishwoman in Utah;” but long before that time Mrs. Alcock had passed away, and apparently she believed to the last that Utah was the Promised Land, and that Salt Lake City was the New Jerusalem.

Alongside this religious sentiment on her part, there persisted the old craze for litigation. In her later years, when an old, bent woman, far past the allotted span, she might be seen laboriously wending her way up Barrack Street towards the Sheriff Court-house, carrying her bag with its precious load of documents, and rejoicing as much to hear her name in the Court as though she were thus receiving high honour.

Her death took place in her Barrack Street house on 6th September, 1869, when in her 80th year. She had no immediate relatives to heir the large fortune which she left, and which long years of litigation had not exhausted.

## XXII.

## PUBLIC SCOURGINGS IN DUNDEE.

EVERY one acquainted with the social history of Scotland knows that in early times the lash was frequently used for the punishment of aggravated offences. It will not surprise the reader to be told that previous to the Reformation, and long subsequent to it, offenders were publicly scourged in the market-place of Dundee; but it may startle many to learn that only 100 years ago a criminal was driven through the principal streets of Dundee, tied to the tail of a cart, and scourged in public by the common hangman. Yet this is a fact gravely noted in the newspapers of the time, and was regarded as much a matter of course by the reporters of the period as the recording at the present day of a small fine for drunkenness or riotous conduct.

The last instance of public scourging in Dundee took place in May, 1824, and was witnessed by a vast assemblage. To show that this incident was a survival of an old custom, only obsolete in recent years, it is sufficient to turn to the early records of the burgh. In an interesting chapter entitled "Offences and Their Punishments," the late Bailie Alexander Maxwell gives much curious information in his book, "Old Dundee Prior to the Reformation."

In the sixteenth century the usual punishment for theft—or "pickery," as it was called—was banishment from the town. It may be doubted whether the exclusion of a thief beyond the limits of the burgh would tend to his reformation, or would in any way protect the unfortunate outsiders who were not Dundonians from his depredations. Yet there are several cases recorded in the Burgh Court books in which women convicted of theft were banished, and compelled to take their children with them.

In cases of aggravated theft the offenders were scourged at the market-place before being exiled. It is recorded that in 1523 a certain Anne Butchart, who had wrongfully taken the wort belonging to a maltman, was "ordainit to be scurgit."

A very strange case occurred at Dundee in 1552. Two thieves, Wattie Firsell and Duncan Robertson, had set upon a poor woman under silence of night, and had robbed her. They were both convicted, and the sentence of the Bailie was "that Duncan sall scourge Wattie round about within the bounds of this burgh, as use is, and gif he fails in the extreme punishment of Wattie, then Climas, the hangman, sall scourge them baith in his maist extreme manner he can. And thereafter Wattie to be had to the Cross, and, be open proclamation, banishit this burgh for seven years." No doubt the fear of the "hangman's whip" would make Duncan Robertson lay on the lash with might and main.

The abandoned wretch who combined theft with sacrilege received little mercy from the Reformers. Mr. Maxwell tells how that at the time when the fiery eloquence of John Knox and other Reformers was crowding St. Mary's Church with worshippers, a thief took the opportunity of plying his vocation there, for which he was condignly punished. The judgment was in these terms:—"The Bailies ordain Alex. Smyth to be scurgit through this burgh, and banisht the same forever, and never to be fund thereintil, under the pain of deid; because, being apprehended with pickery and theft this last Sunday in the kirk, he confessit the same, and submitted himself in the will of the Bailies; wha declarit the same as is above specifeit."

When women were banished from the town, it was usually declared that the punishment of their return without leave should be death by drowning.

In course of time the rigour of the law was tempered, and offences at one time visited with extreme punishment were condoned by fine instead of imprisonment. That much-abused local hero, John Graham of Claverhouse, was one of the first to propose that clemency should be extended to minor offences. When Graham was Provost of Dundee he presented a petition to the Privy Council, suggesting that some of the prisoners in the Tolbooth should be subjected to fine rather than to incarceration for minor offences; and this application seems to have had some effect, as there was a marked improvement in the method of dealing with such prisoners.

It is not generally known that England and Scotland differ very much in the power of inflicting the death-penalty. While



in England only two crimes—treason and murder—are punishable by death, in Scotland, what are called “the four pleas of the Crown”—murder, robbery, rape, and fire-raising—are still liable to the extreme penalty of the law, though usually the Prosecutor only asks for capital punishment in cases of murder. The case now to be narrated belongs to one of these four offences.

On the evening of 5th May, 1822, while a young girl, Margaret Miller, aged 14 years, was going along the road from Dundee to Glamis, she was attacked by two men and criminally assaulted. John Miller and William Storrier were apprehended and accused of the crime. They declared their innocence, but both men were committed for trial. They were brought to the Perth Circuit Court held on 13th September, 1822. The presiding Judges were Lord Hermand (George Fergusson) and Lord Succoth (Ilay Campbell).

The prisoners put in a plea of “Not guilty,” and as the evidence was of a special kind, the trial was conducted with closed doors. A considerable number of witnesses (including the girl) were examined for the prosecution, while many of the witnesses for the defence testified to the good character of the accused. The Prosecutor, Mr. John Hope (afterwards Lord Justice-Clerk), withdrew that part of the accusation which would have involved the death-punishment, and limited the case to one of assault.

In defending the prisoners, their advocate, Mr. Thomson, took up a special line of defence. Having described the position of the Glamis Road near the present site of Fairmuir, Mr. Thomson maintained that there could not have been sufficient light at the time the offence was committed to enable the girl to identify her assailants. Here Lord Succoth interposed, and produced an almanack to prove that on the evening of 5th May there was a full moon—a piece of evidence which had been overlooked by the Prosecutor.

When it is remembered that the venerable Judge at this time was 88 years of age—he died the following year—it will be seen that his faculties were as clear and his reasoning as keen as when he was engaged in the Great Douglas Cause nearly sixty years before. The production of the almanack demolished the theory for the defence.

The jury retired, and after a short time returned presenting

a written verdict by which they found the prisoners guilty of "assault with intent." The sentence of the Court was that the prisoners should be "detained in the Jail of Dundee till Friday, 4th October, and on that day at 12 o'clock noon, to be publicly whipped by the common hangman, and afterwards transported for 14 years."

This case had caused not a little sensation in Dundee, especially as similar crimes had been perpetrated within a recent date in the neighbourhood. It was thought that the revival of the old form of punishment might deter others from offences of the kind, even though the extreme penalty of death had not been exacted.

When the hour for the execution of the sentence approached, on Friday, 4th October, a vast crowd assembled in the High Street, filling the open space from the Trades Hall in the east, to the Union Hall at the west, and blocking the main thoroughfares of Overgate, Nethergate, Seagate, and Murraygate. As it was the usual market day, many of the farmers and farm-servants had come into the town to witness the unusual spectacle. It was calculated that not less than 10,000 persons were congregated in the open square and side streets.

As the hour of noon struck on the clock of the Town House, a cart was driven up to the piazza, and the prisoners were brought down from the upper cells, as the "Dundee Advertiser" reporter states, "in the humiliating manner usual on such occasions." Their backs were bared, their hats slouched over their faces, and a cord was run round their waists and fastened to the cart. The hangman was there in his official capacity, bearing his dreaded "cat-o'-nine-tails."

In this ignominious manner the melancholy procession started from the front of the Town House, the crowd making way for the cart as it moved slowly along towards the Seagate. Here at the corner of the Trades Hall, nearly opposite the top of Castle Street, the first stop was made, and the hangman administered three stripes to each of the culprits. Then the cart proceeded solemnly on its way. It went along the Seagate to St. Andrew's Street; up that thoroughfare, turning by the Cowgate into the Murraygate, and thus back to the High Street, amid the hooting and derision of the mob. Thence it started on its westward route, by the Overgate, down Tay

Street, and returning by the Nethergate to the Town House. At every corner the cart was stopped and the hangman performed his office.

Thirteen times in the course of the journey did the officer apply the lash, thus making up the Scriptural number of "forty stripes less one." Then the culprits, with lacerated and bleeding bodies, were taken back to the Tolbooth cells, to await the remainder of their sentence of fourteen years' transportation. Here these wretches drop out of history. Probably both of them fill nameless graves at Botany Bay.

The circumstances of the case narrated make it of special interest. Seldom were there two accomplices punished in this ignominious fashion, though the sentence was carried out two years later upon a single prisoner. On 14th May, 1824, a man named Webster, convicted of assault and robbery, was publicly whipped through the streets, and an immense concourse of people witnessed the infliction of the degrading punishment. After having made a tour of the principal streets at the rear of the cart, and receiving the number of lashes decreed, the offender was committed to prison to complete his sentence.

Webster's case was a peculiar one. He was tried for assault at the Perth Circuit Court in April, 1821, and sentenced to twelve months' imprisonment and five years' banishment from Scotland, with the penalty of public whipping should he return before the expiry of his exile. He was captured on 1st May, 1824, and charged with assaulting several people in the east end of Dundee. As he was identified, he had to endure the punishment of whipping. On this occasion the hangman did not officiate. On the previous Saturday an official had been brought from Edinburgh to Arbroath for the purpose of executing a similar sentence upon Robert Sim, a farm-servant who had attempted to murder his sweetheart. No such exhibition of justice had taken place in Arbroath for fifty years, and great crowds assembled to witness it. The Magistrates of Dundee engaged the Edinburgh scourger to officiate in Webster's case.

This was the last instance of public scourging in Dundee. The Police Act, which received the Royal Assent on 24th June, 1824, introduced new methods of punishment, and whipping ceased to be the custom.

At the beginning of last century the stealing of yarn was made liable in Dundee to an extreme penalty. This was, no doubt, an example of class legislation, for the merchants and manufacturers were the administrators of the law. The embezzlement and reset of stolen yarn were punished by a fine of £20, and failing in the payment of this fine the culprits were decreed to be "publicly whipped at the Market-Cross of the burgh." In the "Dundee Advertiser" for 12th July, 1805, there is a list of 18 persons—13 women and 5 men—who were then underlaying this sentence, which had been imposed by that eminent local philanthropist, Justice Blair, "in terms of the Act of Parliament." There is no record in the newspapers of the time as to whether the prisoners paid the fines or endured the scourging, but the fact of the sentence having been pronounced is beyond dispute.



## XXIII.

## "THE WIFE O' DENSIDE."

**A** HUNDRED years have passed away since the famous trial of Mary Elder or Smith for the alleged murder of her serving-maid took place; yet even till the present day the sobriquet of "The Wife o' Denside," by which she was known, is familiar in Dundee. In several particulars this was the most remarkable trial that ever took place in Scotland; but it is very difficult to find an accurate and reliable account of all its peculiarities. The following record of it has been carefully prepared from the examination of several records of the trial and the incidents that gave rise to the pathetic tragedy. It is needless to say that many absurd traditions have already grown around the tale, and fanciful additions to the facts and unwarranted deductions from them have long been current in Forfarshire.

The farm of West Denside occupies a most picturesque situation amongst the elevated uplands which rise to the north of Broughty Ferry. East Denside, Dodd, and West Denside are all upon the estate of Douglas, and are the property of the Earl of Home. About the year 1825 all these farms were occupied and wrought by a farmer named Smith and his family, and he had selected the house of West Denside as his residence.

The Smith family consisted of the father, his wife, Mary Elder or Smith, two sons, Alexander and George, and two daughters. There were three female servants connected with the farm, Barbara Small, Jean Norrie, and Margaret Warden, the latter two of whom slept together within the house. The farmer himself was considerably older than his wife, and was a man greatly respected by all who encountered him. Mrs. Smith was also looked upon as a hard-working and thrifty housewife, though perhaps somewhat uplifted by the prosperity which had rewarded her husband's industry. One of her daughters was married to James Miller, who acted as foreman,

and the two sons were employed on the farm. These were the principal *dramatis personæ* who took part in the tragedy of Denside.

Margaret Warden, one of the servants at Denside, was the daughter of a widow who lived not far from the neighbourhood. Her father had died when she was fifteen years of age, and during the ten years which elapsed between that time and the period of our story she had been engaged as a servant on some of the farms in the vicinity. The widow had been left with one son and two daughters, and the destitution which she endured had excited the sympathy of several of her neighbours. Amongst them was a sister of Mrs. Smith of Denside, called Mrs. Machan, who had taken considerable interest in the Warden family, and assisted the unfortunate widow in her helplessness. Through her influence the daughter Margaret obtained a situation as a servant at Denside, and the other members of the family were indebted to her for many kindnesses. Unfortunately her goodwill towards Margaret Warden was the cause ultimately of that unhappy creature's destruction.

The world flowed smoothly with Margaret Warden for some years after she had entered the service of the Smiths of Denside, and being of a light-hearted and amiable temperament, she soon became a favourite with her fellow-servants. But when she was about 21 years of age a heavy cloud of misfortune overshadowed her. She had trusted in man's faithfulness, and been deceived, betrayed, ruined; and was forced to drain the bitter cup of sorrow which she had prepared for herself. She retired to her mother's cot to conceal her shame, and under the protection of the maternal roof she brought forth the child of her sin and sorrow.

This event seemed likely to cause a rupture between the Smiths and Margaret Warden, but the good offices of Mrs. Machan brought about a reconciliation, and she returned to resume her former occupation at Denside. Time will mitigate the severest pangs of remorse, and the rolling years which bring sorrow with them bear away the sad memories of past misery. Though not naturally of a frivolous character, Margaret was not deeply reflective, and the kindness of her employers and fellow-servants soon taught her to forget the disgrace which she had suffered. The fault had been

apparently overlooked and forgiven, and she strove to regain her reputation by unwearied assiduity. Nor were her efforts unrewarded. Mrs. Smith entrusted her with the control of those departments which had formerly been in her charge, and all around her seemed to have forgotten the saddest incident in her career.

But even in this peaceful scene unknown dangers surrounded her and threatened her peace. Her gentle demeanour had attracted the notice of George Smith, the younger son of the family, and he had paid her particular attentions upon several notable occasions. The young laird had declared his love, and been accepted for some time before his parents were aware of it. There had been many stolen interviews between George Smith and Margaret Warden ere the news of his amour reached his mother. Mrs. Smith's own pride prevented her from seeing the drama which was being enacted before her eyes, and, like many others in her circumstances, she received her first intimation of the affair from some good-natured outsider. The very hint of such a thing appalled her. She had been striving by thrift and economy to lay the foundations of a great fortune at Denside, and she had looked forward to the marriage of her sons as alone necessary for the completion of the edifice. If that were true which her friends had repeated, George Smith had wilfully thwarted her plans, and involved her ideas of future greatness in total ruin. She would watch for every indication of so great a catastrophe.

The vigilance of the wife of Denside ultimately discovered their meeting-place, and all her fears were confirmed. She found the son, upon whose marriage her hopes of greatness were built, breathing his tale of love into the ear of one whose social position was far beneath his, and whose moral character was not without a flaw. There is little wonder that one of her stamp, however mild and gentle in ordinary circumstances, broke forth furiously upon the delinquents when she saw them in this situation. The reprimand which she bestowed upon her son was mild and maternal, but the abuse which she heaped upon the devoted Margaret's head was unmeasured and intemperate. Knowing the former error of her unhappy servant, Mrs. Smith would easily persuade herself that her son was the dupe of a designing woman; and she used language



towards her which would only have been justified by the vilest conduct on Warden’s part. The unfortunate girl, stung by her reproaches and irritated by her accusation, refused to remain under her roof, and took the way sorrowfully from Denside towards the meaner abode of her mother.

That was a sad night in the home of the Wardens. The aged mother returned from her labours in the fields to find her prodigal daughter seated tearfully by the fireside, enduring meekly the upbraidings of her brother, and unable to revile again. To her questionings little reply was vouchsafed, and the old woman retired to rest dreading the revelations which the following morning would make. She was not long kept in suspense. Mrs. Smith had been in the habit of driving her dairy produce to Dundee when Margaret Warden could not be spared from the farm; and on this occasion she called at Warden’s house to inquire after the absentee. She found Margaret alone in the house, but what passed between mistress and maid can never be known. When Mrs. Warden entered she found Mrs. Smith urging Margaret to go with her to a doctor in Dundee, but the girl resolutely refused to accompany her. At this time (July-August, 1826) typhus fever and cholera morbus were raging in the vicinity, and Mrs. Warden imagined for the moment that her daughter had been sent home through dread of her being affected by these scourges of humanity. She hastened, therefore, to assure Mrs. Smith that her daughter had been bled quite recently, and this was then considered the safest febrifuge and precaution against contagion. Finding all her efforts to induce Margaret to accompany her quite unavailing, the wife of Denside set out on her journey to Dundee alone, being convoyed merely to her machine by the mother of her servant. The distance which these two women had to traverse was not great, yet the conversation which passed between them on the way is of great importance to our narrative. The only account of it which can be procured is derived from the evidence, given under oath, of Mrs. Warden.

“What do you think is wrong with your daughter?” asked Mrs. Smith, when they had got beyond the house.

Mrs. Warden replied that “she didna ken.”

“I wish she binna wi’ bairn,” said her companion, ventilating the fear which possessed her own bosom.



"That," said the mother, discreetly, "is best kent to hersel'."

And then Mrs. Smith, annoyed by her cautious reticence, launched forth into a violent attack upon poor Margaret. She reminded her mother of her past ill-conduct, pointed out how she had forgiven her previous mistake, expecting her to reform, and plainly accused her of having again forgotten her self-respect and forfeited the regard of her employers. It was useless for Mrs. Warden to reply to these accusations, for her own fears had already suggested them; but she was hardly prepared for the remark which followed upon them.

"If Margaret is in that condition," said Mrs. Smith, "it will bring disgrace both upon you and me."

Only one conclusion could be drawn from this speech—that some one of the Smith family was involved in Margaret's sin, if sin there was in the case. After this remark, Mrs. Smith's final leave-taking of Mrs. Warden was fearfully ominous. She said that "she was going to the doctor in Dundee to get something for herself, and she would see and get something for Margaret also."

Margaret was anxiously awaiting her mother's return, and questioned her closely as to her conversation with Mrs. Smith. Especially was she desirous to know if the name of her lover, George Smith, had transpired; but her anxiety was of no avail. Her mother could tell her nothing which she did not already know, and she decided to return that night to Denside and brave the anger of her mistress.

The harvest of 1826 was an early one, and much of the grain was already cut ere Margaret Warden returned to Denside. There was one field of oats, however, immediately in front of the house which had been later than the rest of ripening, and shortly after her return to her old quarters she was sent, along with two sisters who wrought on the farm—Ann and Agnes Gruar—to assist in shearing the crop at this place. She had confessed her condition to Mrs. Smith, and that lady had prescribed fasting and hard work, *in conjunction with what she would give her*, as the likeliest means of obviating the consequences of her guilt. But Margaret was unfitted mentally and bodily either for a severe regimen of diet or for extreme labour, and her spirits sank under the infliction. She was worse in health than usual on this special day, and after many vain endeavours to accomplish the task apportioned

to her, she sat down despairingly beside the ungathered sheaves, and poured forth her misery into the ears of her companions. She told them the state into which she had been brought by her trustfulness, and spoke of her fears lest her lover should prove untrue. She related what had taken place between herself and the mistress, and explained that she felt it impossible for her to endure longer either the physical or mental torture to which she was subjected.

To Ann Gruar especially she opened her mind, telling her that "she was not able for her work, that she must leave Denside, and did not know where to go, as she could not go to her mother's," and saying repeatedly "that she would put an ill end to herself." She uttered this threat so seriously that Ann Gruar half believed that she was sincere in her avowed intention, and sought to dissuade her from it. But she persisted so firmly that she would make away with herself that her hearer grew terrified by her earnestness, and "went away saying, 'God keep me!'" and told the circumstances to one of her companions in the field.

Tradition records that at this moment, whilst Margaret Warden was sitting helpless and despairing in the field, and mourning over her fate with bitter tears, the Wife o' Denside approached her from the house, and, seeing her pitiable condition, offered her a flagon of tea to comfort and refresh her. The kindly action touched the poor sinner's heart, and regretting the injustice which she had done her by accusing her of harshness, she gladly partook of the proffered refreshment, and strove to resume her occupation. The cheering draught revived her for a time, and she managed to complete her task for the day.

This occurrence took place upon a Monday. On Tuesday Margaret Warden was at work in the fields as usual, apparently as light-hearted as she ever had been before the eventful day when she spoke of suicide. The kindness of her mistress, possibly, had led her to renew her hopes that she would yet be forgiven by Mrs. Smith, and received as a daughter-in-law. She was willing, therefore, to follow her directions implicitly, and to resign herself to her charge without question. That night when she returned from her labours out-of-doors she sat down by the fire to rest herself, and fell asleep in her chair whilst her companion and bed-fellow, Jean Norrie, was working

about the kitchen. When their usual bed-time had arrived, and while they were sitting by the ingle, Mrs. Smith entered the apartment from the parlour, with a glass in her hand, containing some liquid which she kept stirring with a spoon. What was her purpose in thus breaking in upon their privacy? Jean Norrie's description of the interview and its results runs thus:—

“Mrs. Smith came into the kitchen, and said she would let us both taste what was in the glass, and that ‘she had ta’en her sairin’ o’t before she cam’ but the house.’ It was a pretty large dram-glass, and was about full. She dipped the teaspoon into the glass, and put it to my mouth, and gave the rest to Margaret Warden, who drank it off. She had one piece of sugar with her, which she also gave to Margaret Warden. The stuff in the glass was *white-like*. I have tasted castor oil, but the stuff in the glass did not taste like any castor oil that I ever tasted. Mrs. Smith gave me castor oil once before, and the stuff in the glass did not taste like it. I have seen cream of tartar, and it was as like it as anything I ever saw. Our usual bedtime was ten o’clock, and it was just about that time. There was none of the family in the kitchen at the time. Warden and I went to bed immediately afterwards, and in the morning Warden was taken ill. When I wakened she was striking a light and turned sick. I led her to bed, and she lay down. I cannot say positively that she vomited at that time.

“I went out to my work and returned at dinner-time, and found Warden still in bed and complaining. When I came back in the evening I found her yet in bed, and asked her how she did?

“She said, taking hold of my hands, ‘*Oh, what I ha’e bidden this day!*’”

“I asked her if the Smiths had been *owning* her?

“She said, ‘*Rather too weel.*’

“I signified to her that I thought she was dying, and she said, ‘*Some fowk wad be glad o’ that.*’

“Warden complained very much all the time of her distress of a sair side and inside. I slept with her on Wednesday night, and when I wakened I found her awake also. She was very ill on Thursday—worse than the day before. She vomited very much, and was much affected by purging. She



complained greatly of thirst, and I repeatedly gave her water, which she immediately threw up again. I was about the house all that day, and Warden frequently called for her mother. Her mother lives at some distance from Denside on the road to Dundee. She asked for her mother in presence of Mrs. Smith, who said, "*Wheesht till your physic operate.*" I understood that Mrs. Smith had given her physic that day. The mistress said it was castor oil. She asked me what I thought would be good for Warden? Would whisky do her good? I said, 'She had got enough of that, or something else, for such purging and vomiting I never saw.' Mrs. Smith then turned about and went ben. Warden said to me, 'Say nothing to her about it.' She said that her mistress had burned her inside with whisky. I advised her to take no more of these drinks, but she said that Mrs. Smith said they were good for a *wheeze* in her breath. I said, 'Dinna tell me it's for your breath; I ken better;' and she answered, 'I ken ither things too.' She had aye a wheeze in her breath sin' ever I kent her; sometimes better and sometimes waur. She was sensible on Thursday, but on Friday she drowsed and was *queer-like*. Her mother came to her on Friday. On that day she called me to her bedside, and said, 'You ken, Jean, wha has been the occasion o' me lyin' here?' I said, 'No.' She replied, 'Dinna say naething.' I said, 'Dinna *you* say naething, for I dinna ken.' Warden said, 'They'll get their rewards.' I answered, 'If it's onybody you're blamin' you'll surely forgi'e them;' and she said she would. Ann Gruar and Warden's mother were present. I said, 'I've told you before no to tak' ony mair o' thae drinks the mistress gi'ed ye.' Warden said, 'Ay, ha'e ye.'"

As Norrie's evidence indicates, the mother had by this time arrived, and had overheard much of the conversation between the fellow-servants. Her own evidence corroborated the main points alluded to by Jean Norrie, and supplied some valuable information besides, bearing directly upon this case.

Jean Norrie left the apartment, and the following is the sworn evidence afterwards given by Margaret Warden's mother:—

"When Norrie went away, I asked Margaret 'if onybody had gi'en her onything, or onybody had hurt her?' She said, 'Jean Norrie can tell you a' about it.' I said, 'You can tell

yoursel'.' Margaret then said, 'My mistress ga'e me it.' I could ask her nae mair, I was so sorry. There was naething mair said on the subject."

A new and important witness now appears on the scene. The illness of Margaret Warden was so serious that it was thought advisable to call in the aid of a medical practitioner. Dr. Taylor, of Broughty Ferry, was the nearest and most trusted mediciner in the locality, and he was summoned by Mrs. Smith to the bedside of Margaret Warden. His verbatim evidence runs thus:—

"I was sent for on Friday to visit Margaret Warden. I arrived at mid-day. I met Mrs. Smith at the door knitting her stocking. *She took me into the parlour.* I asked, 'What was the matter with the servant?' She said she had been ill with vomiting and pain in her bowels ever since Tuesday. I asked 'why she had been so long in sending for medical assistance?' She said, 'She was not aware her complaint was so dangerous; and she was a light-headed cutty, and they had not paid that attention to her they might have done.' I asked 'if anything had been given to her?' and she said, '*Nothing but castor oil.*' I understood this to have been in the course of the illness. Mrs. Smith then said that it was reported that the girl was with child, and asked if I would know it if I saw her? I said it was very probable that I might. She asked whether it was not likely the vomiting and purging would carry off the child, if there was one, adding, 'it would be a stain on the family?' I said it might or it might not have that effect. I then said that I had come for the purpose of seeing the patient, and did not choose to indulge in such conversation. I was taken to Margaret Warden's bedside, and found her coming out of a fit of vomiting. She was very ghastly, and fell over almost insensible. I could feel no pulsation at the wrist or the temples. The pulsation of the heart was very indistinct, and beat about 150 or 160 a minute. The extremities were perfectly cold, and a cold perspiration was over the whole body. I attempted to rouse her, and asked her when she was taken ill? After repeating the question two or three times, she said she had been taken ill on Tuesday night with purging. . . . She was so exhausted that I did not consider myself justified in putting more questions on that subject. . . . I understood her to be with

child for about three months. . . . She did not say whether she thought herself dying. She said nothing from which I could infer that she had done herself ill. The moment she answered a question she fell over quite exhausted. When I left the kitchen, Mrs. Smith asked me to go back to the parlour, and inquired what I thought of Warden? I said I thought she would die in a few hours, and explained that I had not prescribed any medicine for her, as I made it a rule not to prescribe for a dying person. Mrs. Smith said 'she had sent for a medical man to take the responsibility off her shoulders, and asked if I thought she was with child?' I said I had every reason to believe she was. Mrs. Smith then asked 'if the vomiting and purging would carry it off?' I answered, 'It might or it might not.' She remarked 'that she would take care, though, that it did, as the gudeman would tear down the house about her.'"

And Dr. Taylor and Mrs. Smith retired, and left Margaret Warden upon her deathbed—to die by her own suicidal hand, or by the ruthless poison of a murderess.

After three days of severe suffering, Margaret Warden succumbed to the power of the poison which she had taken, or which had been administered to her, and breathed her last at nine o'clock on the evening of Friday. At the moment of her death she was surrounded by her own personal friends—her mother, Ann Gruar, and Jean Norrie were all present—yet she uttered no word, either of crimination or confession, other than that already recorded. The appearance of the corpse immediately after death was so unnatural as to attract attention. Jean Norrie described it as "of a blackish colour," and Mrs. Warden deponed that she "assisted to dress the body—it was of a dark colour." Even Dr. Taylor had noticed that the patient's arms "had a dark appearance," but the idea of poisoning had not occurred to him, probably because Mrs. Smith's suggestions had supplied another explanation. The testimony of these witnesses, though founded merely upon the external aspect of the deceased, seems to imply that her death had taken place under such suspicious circumstances as to require investigation. But no such investigation was made, and the body of Margaret Warden—whether suicide or victim—was to be hurriedly interred in what should have been her final resting-place.



Word was sent to her brother on Saturday—the day after her death—of the sad occurrence, and he was requested to come to Denside to assist at her funeral on Sunday. Mrs. Smith's sister-in-law—the wife of her husband's brother—had heard of the death, and visited Denside on Saturday. Her story as to the situation of affairs bears so immediately upon this portion of our narrative that it may be reproduced verbatim at this stage:—

“I was at Denside the day after Margaret Warden's death. I asked if it was the fever she had died of, and *Mrs. Smith said it was*. I asked if she had given her any medicine, and she said she had given her nothing but some castor oil on the Tuesday night. I also asked if the girl had been in the family way? She said she had heard so, *but did not believe it*. I remember that the body was of a blue colour, and Mrs. Smith said the doctor had told her that all who died of the fever were of that colour; that the colour was not so bad the day before; and that the doctor had told her that if the colour was bad to-day, it would be worse to-morrow.”

It is worthy of notice that fever as the cause of Warden's death was never suggested at any other time or to any other person. Dr. Taylor supposed, from a cursory examination, that the disease was *cholera morbus*; and Mrs. Smith afterwards declared that she understood from him that it was water in the chest, *though he denied under oath that he had ever said so to her*. The notion of either suicide or murder was not mooted at this juncture; but a coffin was speedily prepared, and the unfortunate woman was buried in a “shame-hasted” manner, with all the tokens of her sinfulness, in the kirkyard of Murroes, on the *second day* after her demise. The mother “saw the body chested and the lid screwed down.” The brother, Robert Warden, “saw the coffin taken from the bed at Denside; did not observe the coffin particularly till it was lowered into the grave; there were the letters ‘M. W., aged 25,’ upon the lid of it.”

Here should have ended the story of Margaret Warden. The brief tragedy of her life had been consummated, and after her mournful experience of man's perfidy and woman's trustfulness she had apparently found shelter from “the slings and arrows of outrageous fortune” literally within

“The darkness of a nameless tomb.”

No stone was raised to mark the spot where she had been laid to rest, and there was nothing whereby her body might be identified save the brief inscription upon her coffin-lid—now buried far beneath the sod—which told how few and evil had been the days of her years. Even yet it is not possible to discover the precise place where her grave was made in the quiet old kirkyard of Murroes; nor has a thorough search in the locality disclosed the position of the turf which covers her *final* abode in that ancient God's acre,

"Where little flowers are gleaming,  
And the long green grass is streaming  
O'er the gone, forever gone!"

But the sleep of death in which she lay was not to remain undisturbed.

At the time of Margaret Warden's death only two persons had any grounds for supposing, from her own statements, that she had been the victim of foul play, and these were her mother and her fellow-servant, Jean Norrie. On Saturday, the day after the death, "when they were coming to the coffining," Mrs. Warden repeated the conversation she had had with Margaret to her other daughter, but enjoined secrecy upon her regarding it. She did not tell her son nor any one else at that time, "because it could not bring back her daughter from the grave, and would bring such disgrace upon the family." Gratitude towards Mrs. Smith's sister also weighed with her in deciding that she should suppress any charge against the household at Denside; and, so far as she was concerned, she intended leaving the death of her daughter a profound mystery which the earth had covered, and which should not be revealed until the great day of account had arrived.

Upwards of a week afterwards a rumour arose, and was circulated far and wide, that a young woman who had been pregnant by a farmer's son had been poisoned by his mother; and various were the names of individuals, and as various their places of abode and the circumstances connected with the supposed atrocity, that floated on the breath of the public. At last information was communicated to the Sheriff of Forfarshire that a young woman had died under suspicious circumstances at Denside, in the parish of Monikie. But the body by this time had been interred about twenty days, and

it was therefore thought a hopeless task to discover the cause of the woman's death. After a consultation with a medical gentleman, however, it was resolved that the body should be raised; and on Saturday [30th September] this was done in presence of Drs. Ramsay, Johnston, and Taylor. The body was laid on a gravestone, and dissected in the open air by Dr. Johnston; and after testing the contents of the stomach, a report was drawn up, which decidedly attributed the woman's death to the poison of arsenic. It was also reported that the woman had been three or four months pregnant. Portions of the contents of the stomach were sent to the Crown Agent at Edinburgh with the view of their being tested by the learned in that city. Corruption had so quickly done its work that her face, when the body was taken from the grave, could not be recognised by her friends.

From the above contemporary account it will be seen that a *post-mortem* examination of a body took place in the churchyard of Murroes. Was that the body of Margaret Warden? Absolute accuracy in this matter was necessary, when the case came before the Court. Look for a moment at the evidence whereby the body was identified.

Dr. Taylor saw Margaret Warden on her deathbed. He believed that she was affected with *cholera morbus*. He was present at the exhumation of a body in Murroes Kirkyard. It was a woman's body, showed signs of pregnancy, but had no trace of *cholera morbus*. From the result of an analysis made by him and others he believed this woman—whoever she might have been—had died from the administration of arsenic.

Robert Warden, the deceased's brother, was the only party present at the exhumation who had also witnessed the burial. He testifies that "he came from Denside with the funeral. The coffin was lying in the kitchen bed—the only one in the kitchen. Knows Dr. Ramsay, Dr. Johnston, and Dr. Taylor. Saw a body taken out of the grave where his sister was buried, about three weeks after the interment; *saw the same coffin taken out that he saw put in*; there was no alteration in the grave."

As doubts were *hinted* at the trial which afterwards took place as to the identity of the body it may be judicious to settle this matter at once. We have seen that there was a



plate on the coffin which would serve to identify it. That plate was seen by Robert Warden when the body was lowered into the grave at first, and noticed by him when it was exhumed. The features were not recognisable, but the evidence of her brother should be conclusive. It is not likely that he could have forgotten the spot where the remains of his sister were laid three weeks before; and, even if he had, the lettering on the plate would be sufficient for him. And if we reject the sworn evidence of this solitary witness as to the identity of the body, we are forced to adopt the monstrous supposition that some other person in the neighbourhood was in the same state as Margaret Warden, that she had died about the same time as she did, and that she was buried surreptitiously, not only in the same grave, but actually *in the same coffin* which had conveyed Margaret's body from Denside to Murroes! The very statement of the case is its own refutation. No fact was ever more clearly established in a Court of law than this, that Margaret Warden died through the deadly action of arsenic. Had she, when plunged in the depths of despair by the dread of an exposure of her sin and frailty, laid violent hands upon herself and taken away her own life in defiance of the commandments of God and the laws of man? This was the difficult problem which the authorities of Forfarshire had now to solve.

When once the law had been put in motion with reference to this case, no delay was suffered to interfere with its initiatory action. The exhumation took place on Saturday; a portion of the intestines was taken away in a sealed box for further examination, and tests were applied on Sunday so as to make it evident that poison had been the cause of death. On Monday the Sheriff-Substitute arranged to have a precognition of the family at Denside taken; but it was suddenly found that Mrs. Smith was too ill to be brought to Dundee for that purpose. Popular rumour had already accused her of being intimately concerned in the matter, and the Procurator-Fiscal—the late Dr. John Boyd Baxter—instructed Dr. Johnston to ascertain her condition. To avoid the danger of bringing her to Dundee, it was arranged that the Sheriff-Substitute and the Fiscal should meet her at an inn called the Four-Mile House, about midway between Denside and Dundee, provided Dr. Johnston found her well enough to accompany him thither.

As an attempt was afterwards made to discredit the statements which she emitted at this time, upon the ground that she was in a hysterical state and unfit for judicial examination, it may be as well to give Dr. Johnston's version of the story at this stage. His deposition, under oath, is thus recorded:—

“I was asked by the Procurator-Fiscal to go to Denside to visit Mrs. Smith, to ascertain whether she was in a fit state to go to Four-Mile-House to be examined before the Sheriff-Substitute, and went accordingly. I found her, not in excellent health, but in a state that she might go to that place to be examined. At first she was unwilling to go; but after I explained to her husband that I could not certify that she was not able to go, she was induced to go. It was then arranged that she, her husband, and one of her sons should travel to Four-Mile-House in the chaise with me. On the road I spoke to Mr. Smith regarding his friend Mr. S——, of P——, in order to divert their attention from the subject of the examination. Mr. Smith, however, remarked that ‘none of his friends could have anticipated such a report as had gone abroad against his wife,’ and added that ‘there must be something more in the matter than he was aware of, otherwise gentlemen would not be travelling about the country in carriages.’ ‘He had heard,’ he said, ‘that poison had been found in the stomach of the deceased.’ I replied, certainly there had, but I hoped that none of his family had given it. Mrs. Smith said that ‘Margaret Warden had vomited so much before her death that she did not think anything could have remained on her stomach.’ Mr. Smith mentioned that ‘there was more than one of the farm servants who had heard the deceased say that she would put away with herself.’ In the lobby of Four-Mile-House I asked Mrs. Smith whether she found herself any worse? and she replied she was not. I gave it as my opinion that she was in a fit state for examination. If it had not been so, in view of the importance of the subject, I would have mentioned it.”

Dr. Johnston was not present at the examination, but the evidence of those who were there corroborates his statement as to the condition of Mrs. Smith. Sheriff-Substitute Christopher Kerr says:—“Mrs. Smith was in her sound senses at the time—quite calm and collected, *until the last question*

was put to her. She at first answered the question correctly, but when it was put to her a second time she became much agitated. She fell back on her chair very suddenly, but as suddenly recovered." Procurator-Fiscal J. Boyd Baxter deponed:—"Mr. Smith was present during the whole time of the examination, and made no objections. Mrs. Smith was calm and collected till near the conclusion. *At the last question she became agitated.* She was a good deal agitated when signing her declaration." James Yeaman, jun., of Affleck, J.P., was also present at this examination, and declares that "she was perfectly collected at the commencement. Her husband was in the room, and made no objection to her being examined. She became very much agitated when a certain question was put to her by Mr. Kerr." Other witnesses gave corroborative evidence, making it very clear that Mrs. Smith was in full possession of her senses, and perfectly calm when she emitted her first declaration. This was the first reply of Mrs. Smith to her accusers; the earliest explanation of the death of Margaret Warden vouchsafed by her. The reader will notice that the declarant contradicts many of the witnesses from whose evidence we have already quoted, and he must determine for himself as to which party is most worthy of credence.

*" First Declaration.*

*"At the Four-Mile-House, in the parish of Monifieth, the 2nd day of October, 1826.—In presence of Christopher Kerr, Esq., one of the Sheriff-Substitutes for the Dundee district of Forfarshire,—*

"Appeared Mary Elder, wife of David Smith, farmer of Denside, in the parish of Monikie, who, being examined, declares that she is about forty-two years of age; That she had a servant named Margaret Warden, who died at Denside on the evening of Friday, the 8th day of September last, about half an hour after nine o'clock in the evening; That Margaret Warden became unwell about midnight, as she thinks, in the night between Tuesday, the 5th, and Wednesday, the 6th of September; That at daylight, on Friday morning, the declarant sent notice of the girl's illness to Dr. Taylor at Broughty Ferry; That both on Wednesday and Thursday, and until about one o'clock on Friday, the girl vomited and



purged much; That the declarant and Jean Norrie, the fellow-servant, sat up with the girl on the night between Thursday and Friday; That the girl did not appear to be sensible during Thursday, for she did not appear to know the declarant or her daughter, but occasionally she knew those who were about her; That on Friday she knew her mother, named her sometimes, and asked her to look if the doctor was coming; That the deceased had a shortness of breath during all the time she was in the declarant's service, and was sometimes away from her service as unwell; That the declarant did not know anything particular in the deceased's state of health previous to her becoming unwell, as before declared to—except that she generally had more difficulty in breathing towards bed-time, and the declarant thought she had more difficulty in breathing during the preceding week; That the deceased was employed at her usual work on Friday before she became unwell about midnight, as before declared to; That the declarant was in the house when Dr. Taylor came to visit the girl on the day on which she died; That the declarant took Dr. Taylor into the parlour when he came into the house before he saw the girl, and asked him whether he knew the girl, and told him of her state; That the declarant asked him to endeavour to ascertain if she was with child, for the girl was rather of loose character; That she did not say to Dr. Taylor that she thought the girl dying; That she did not say anything to Dr. Taylor as to the likelihood of the vomiting and purging to which the girl was then subject carrying off the child, if there was one; nor did she put any question to him regarding the possibility of such a result; That the declarant did not suspect or believe that the girl was with child, nor had she ever heard any rumour that she was so before the girl's death; That the girl was away from her service about the beginning of harvest, in her mother's house, unwell; and the declarant called at the house to see her, and she then inquired at her mother what could be the matter with her, and whether she thought that she was with child? That about a fortnight before the girl became unwell the declarant gave to her a doze of castor oil before going to bed; That she gave her another doze of castor oil either on the evening of Monday, the 4th of September, or on the evening of Tuesday, the 5th; she is not sure which, but she thinks it was Monday

night ; That it was administered among some 'lozenger-wine' in a dram-glass or tumbler ; That the declarant bought the castor oil on the Friday immediately preceding the girl's death ; That she bought it out of the shop of Mrs. Jolly, druggist, in Dundee, and was supplied with it by Mrs. Jolly herself, or at least in her presence ; That the declarant bought at that same time some 'arnetta' for dyeing, and some mustard, but nothing else ; That Jean Norrie was present when the castor oil was administered, but no other person was present ; That the declarant never had any poisonous articles about her house to her knowledge ;—except that persons have been employed to put away rats ; but declarant had no knowledge of the means they used, and if any poisonous article was used by them they furnished it themselves, and the declarant and her family had nothing to do with it. That the last time any person was employed at Denside putting away rats was about two years ago ; That the declarant has been in the practice of getting druggists' goods from Mr. Alexander, surgeon, Dundee ; but she has no recollection of getting any such article from any other person but Mr. Alexander and Mrs. Jolly ; That the declarant *got no drug or other such article from any other person than Mrs. Jolly, on the Friday preceding the death of the girl.* All which she declares to be truth.

(Signed) "MARY ELDER.  
"CHRIS. KERR."

The importance of this last question is very great, since nearly the whole case turns upon it, for it is very evident that if Mrs. Smith only administered castor oil which she had purchased from Mrs. Jolly, and yet arsenic was the cause of Margaret Warden's death, it would be impossible to connect the Wife of Denside with the mysterious demise of her erring servant. But this was the only question in her examination at which she stumbled, and her hesitancy was so evident that it did not escape the notice of any of the witnesses present. Mr. Kerr felt it to be his duty to commit her to the gaol in Dundee for further examination, and she was conveyed thither from the Four-Mile-House that night.

On the following morning, application was made to the Sheriff-Substitute by her friends requesting him to attend

her that she might emit a second declaration. He states himself that he would not have re-examined her so soon except for this application ; but he arranged to meet the Fiscal in her place of confinement, as suggested, and there to hear her new explanation. This declaration, like the former one, is not republished in any accounts of her trial, and we need make no further apology for its appearance here than we have already done. It is sufficient for our purpose to state that both Sheriff and Fiscal bore testimony that she was in her sober senses on the second as on the first day, and that her later declaration was emitted voluntarily.

*“Second Declaration.*

*At Dundee, the 3rd day of October, 1826.*

In presence of Christopher Kerr, Esq., one of the Sheriff-Substitutes for the Dundee district of Forfarshire.

“Appeared Mary Elder or Smith, present prisoner in the Tolbooth of Dundee, and the declaration emitted by her on the 2nd day of October current, in presence of the said Sheriff-Substitute, having been read to her, she adheres thereto, with this explanation :—That she now recollects that she got from Mr. William Dick, surgeon in Dundee, on the Friday immediately preceding Margaret Warden’s death, something to put away rats ; that about a fortnight before that time Mr. Dick’s daughters, three in number, were at Denside, and the declarant asked them to say to their father that she wished he would give her something to put away the rats from Denside ; and when she was in Dundee she got something from him upon the said Friday immediately preceding Margaret Warden’s death for that purpose. Declares that with this explanation she adheres to her said declaration, and she has no other addition to make thereto, or alteration to make thereon. Declares that she had no recollection of this circumstance at the time when she emitted her said declaration ; but she recollected it after she was brought to prison last night ; and she then told her son that she had something further to communicate ; And being interrogated, declares that she did not mention either to Mr. Dick or to his daughters any particular thing that she wanted, but only asked for something that would put away the rats ; Declares that she is not sure whether it was Mr. Dick himself, or his wife, who gave her the



article to put away the rats ; but she is sure she was not told by either of them what the article was—at least she does not think she was told ; That she was not told it was poison so far as she remembers, and she cannot say whether ‘ poison ’ was written upon it or not ; That there was some writing on it, but she does not know what it was. Interrogated specially whether the declarant asked Dr. Dick to give her arsenic on the Friday before declared to ? Declares that she did not. Interrogated—What she did with the article she got from Dr. Dick ? Declares—That Mrs. Dick recommended her to put it into the holes and craps of the walls ; and she put it, on Monday, into the holes and craps in a loft above the bothie ; That Margaret Warden was present in the kitchen when the declarant got a plate to mix it with meal, but nobody else was present when the declarant was employed in disposing of the article ; That the declarant did not tell Jean Norrie of having got the article or what she had done with it, nor, so far as she knows, did any other of the servants know of it ; That Denside is very much infested with rats ; That, in going into the byre, a drove, like a drove of cattle, may be seen ; That the servants complain that they are disturbed by them in their beds ; All which she declares to be the truth.

(Signed) “MARY ELDER.  
“CHRIS. KERR.”

After the two Declarations emitted by Mrs. Smith, she “was fully committed for trial” on the afternoon of 12th October ; and on Thursday, 12th December, she was served with an indictment to take her trial before the High Court of Justiciary at Edinburgh on Thursday, the 28th December current. The *Dundee Advertiser* of that date records that “on Tuesday morning (26th December) Mrs. Smith was sent off to Edinburgh to stand her trial before the High Court of Justiciary this day.” Elaborate preparations had been made for her defence, and Francis Jeffrey and Henry Cockburn, then the leaders of the Scottish Bar, were retained as her advocates.

The Habeas Corpus Act of 1679 was founded upon the terms of Magna Charta, but it did not extend to Scotland till 1701. It’s purpose was to prevent the long imprisonment of an accused person without a trial in open Court, and it provided

that any prisoner could apply for immediate trial, and the Judge, within twenty-four hours of the application, must enjoin the Lord Advocate or other prosecutor to fix a date for the trial within sixty days thereafter, or otherwise the accused would be set at liberty. The proceedings in Court were limited to forty days, and thus no prisoner could be detained without judgment by the Court more than a hundred days after apprehension. This plan, known as "running criminal letters," was adopted by Mrs. Smith's agents, and the Crown Prosecutor had therefore to hurry on his evidence, lest the accused should escape entirely. The Lord-Advocate of the time, upon whom the task of prosecution fell, was Sir William Rae of St. Catherines, son of the famous Lord Justice-Clerk Eskgrove, and M.P. at this time for the Anstruther Easter (now St. Andrews) Burghs.

Up to the last moment no clue had been afforded him of the line of defence to be adopted by his opponents. The two declarations by Mrs. Smith seemed to make his task easy, the latter especially connecting her with the purchase of arsenic, the poison whereby death had been caused; and no other adequate theory had been started at this time to account for the violent end of Margaret Warden. He must have therefore supposed that it was a simple case of murder, requiring no special care on his part to secure the conviction of the accused. But in this supposition he was grievously mistaken. He learned on the day immediately preceding the trial that it was intended to advance a theory of suicide as the main defence, and that a large number of witnesses were to be summoned to establish this plea. He felt it to be his duty to examine those witnesses, as it was impossible for him to tell what credit a jury might give to the statements of the parties. A postponement of the trial was therefore necessary that the ends of justice might not be defeated.

Accordingly when the Court met on the morning of the 28th of December, he rose at once to explain his position. He stated "that it was incumbent upon him, in the discharge of his public duty, to move the continuance of the diet in this case. It was not necessary in doing this to state his reasons; but as he wished all the motives which guided him in his public duty to be known, he would mention that it was only yesterday that he had been informed of the nature of a defence which

was to be made for the prisoner—which was that the person who had died had poisoned herself. He understood that forty-one witnesses were to be adduced for the defence, which was so contradictory of the evidence which had been laid before him in the case, that, although he regretted to put the jury and the witnesses to the trouble of returning, yet he would not do his duty if he did not first proceed to investigate the grounds on which that defence was to be supported before he proceeded with the prosecution. In these circumstances he had not thought it necessary to bring the accused into Court; and he now moved their Lordships to continue the diet against her till Friday, the 12th of January.”

The Judges on the bench were the Lord-Justice Clerk (Boyle), Lord Meadowbank, and Lord Alloway, and they concurred in pronouncing an interlocutor postponing the trial as desired. Mr. Smyth, advocate, was sent by Crown counsel to precognosce the forty-one witnesses; but he had not completed his examination of them when the date of the adjourned trial arrived. A fresh postponement was necessary—as much in the interests of the defence as of the prosecution—and the 5th of February was finally appointed as the day for the disposal of this protracted case. Even up till this period the evidence for the defence had not been completed. Mrs. Smith had alluded in her first declaration to some one who had been “employed to put away rats” at Denside, and it was very necessary that this party should be discovered. It was also currently reported that Margaret Warden had declared her intention to commit suicide to occasional visitors to the kitchen, as well as to her fellow-servants; and if it could be shown that she intended to take her own life, and that the rat-catcher had left the means within her power, a strong presumption of suicide would be afforded. But the latter important witness could not be discovered, although strenuous efforts were made to obtain intelligence of his whereabouts. As a proof that the second postponement had been also assented to by the defender’s counsel, we may mention that an advertisement asking information concerning him was inserted in the *Dundee Advertiser* of 25th January, a fortnight after the proposed date of the second trial. This advertisement is only obscurely referred to in the published accounts of the trial; but as the witnesses for whom inquiry was made were



evidently looked upon as important for the defence, it is advisable to reprint this strange document.

“TO THE BENEVOLENT.

“ANDREW MURRAY, Rat-catcher, is particularly requested to call at Mr. Smith’s, Farmer, at Denside, in the parish of Monikie, on or before Wednesday, the 31st current, and those who may know where he is are respectfully solicited to inform him of the present notice. All his expenses will be paid.

“It is also earnestly requested that any person who can give information that might lead to finding out a woman of the description under-mentioned, will communicate the same, without delay, to Mr. Smith, or to his agents, Macewan & Miller, writers in Dundee. The woman alluded to is middle-aged, and was lately travelling in Fife selling matches; she was accompanied by a boy of about ten years of age, who had a white mouse carrying in a box. She is said to have some time resided in the Hilltown or Wellgate of Dundee.”

This advertisement was effectual in producing both of the witnesses inquired after, but whether their evidence was worth all this trouble the reader must decide when it is laid before him.

The trial of Mrs. Smith was doomed to be an exceptional one for many reasons. When the case was brought before the Court for the *third* time an incident occurred to retard its progress, which is almost unparalleled in the annals of Scottish Judicature. The graphic account of this episode contained in the *Dundee Advertiser* of 8th February, 1827, fully relates this peculiar incident in these terms:—

“*The trial of Mrs. Smith.*—This trial, which, as we formerly noticed, had been postponed in an unusual manner by a stretch of the almost regal powers possessed by the Lord Advocate, was commenced at Edinburgh on Monday, at nine o’clock in the morning, before a bench consisting of all the Lords of Justiciary. After an objection to the relevancy of the indictment had been stated and repelled, the examination of the witnesses for the Crown proceeded. About five o’clock the tenth of these witnesses (Dr. Christison) was in the course of being examined, when an unearthly groan was heard in Court, and all eyes were turned to the jury-box—from whence it had proceeded. It was found that one of the jurymen

(Mr. Thomson, blockmaker, Leith) had fallen into an epileptic fit. Dr. Christison sprang from the witnesses’ box, and, along with several other medical gentlemen then in Court, went to his assistance. He was conveyed into an adjoining room, where means were used to recover him, whilst the Court sat waiting the result. At six o’clock he had not returned, and two medical gentlemen [Professor Christison and Dr. Macintosh] were then examined as to the probability of his being able to resume his duties as a jurymen that evening. They concurred in saying that although he was considerably recovered, a relapse might be apprehended ; that it was unlikely he could continue to act during the greater part of the night as a jurymen. After the Court had expressed an opinion that it would be improper to put him again into the jury-box, the Lord-Advocate submitted that, in accordance with what had taken place in a former case—the only one of the same nature on record—the jury should be discharged, and a future day fixed for proceeding with the trial, to which day the Court should adjourn. The counsel for the panel thought that mode of proceeding incompetent in this case. The Court found that the trial could not proceed, and continued the case till Monday next at ten o’clock, when the question of competence will be discussed. The Court, on the motion of Mr. Jeffrey, cautioned persons connected with the newspapers or other publications against giving publicity to any part of the evidence, as they would have to answer for the consequences.”

The exceptional incident which had occurred took this case out of the range of ordinary trials, and it soon became evident that Mrs. Smith’s agents intended to avail themselves of this fact. The jurymen and witnesses were discharged, but instructed by the Court to reappear upon Monday, 12th February, to proceed with this important case. Counsel on both sides were to be prepared with arguments as to the legality of carrying on the trial or dismissing the panel from the bar. The new turn which the case had taken intensified the excitement in the country regarding it, and it was confidently anticipated that the decision of the Court in these peculiar circumstances would regulate all future proceedings. Seldom had the Court of Justiciary been so fully attended by all classes as on the day appointed for the settlement of this matter. The bench was occupied by all the Lords of Justiciary,

and the leaders of the legal profession had assembled in great numbers to hear a decision which should affect their practice in all time coming.

When the case of Mrs. Smith was called the Lord-Advocate rose and stated briefly "that, in consequence of what took place on Monday last, he held all the proceedings of that day null and void from the time the interlocutor of relevancy was pronounced; but that the case might be opened for discussion, he should now move the Court to proceed to ballot for a new jury." Mr. Cockburn opposed this motion, contending that this action was quite incompetent. His speech occupied nearly two hours in delivery, and was marked with all that thoroughness of research, accuracy, and eloquence which were his chief characteristics. Briefly stated, his arguments took this form:—

A new jury could not be balloted from the forty-five jurymen originally summoned, because it was necessary that forty-five names should be in the ballot-box, but it was evident that only forty-four could now be there. Besides, the thirty members who had been discharged when the first jury was elected had mingled with the community—a circumstance utterly repugnant to Scottish legal tradition. Further, he contended that as the case for the prosecution had been nearly completed when the unfortunate interruption took place, the prisoner had really "tholed an assize," and could not be tried again for the same offence upon the same criminal letters. No case precisely similar had ever occurred, and it was dangerous to establish a precedent which seemed so plainly to contradict the fundamental principles of Scottish criminal law. He maintained that the jury had been discharged by an interlocutor of the Court, and could not be reassembled to try this case anew upon the former libel. The Prosecutor seemed to consider that the case was merely adjourned and was still going on; but this was evidently a misapprehension, since there was now no complete jury, nor could there be unless a new trial were ordered, and a new leet of forty-five jurors summoned. He maintained that "from the moment the jury is sworn it is not in the power of the Prosecutor to abandon his case; there can be no desertion of the diet,—no adjournment; and if any accident supervene, the instance must necessarily fall." He asserted that the Court had no power



to call witnesses to repeat evidence which they had already given, since the citation upon which they had been called was thoroughly exhausted; and he warned the Court that they were assuming a power for which they had no warrant in thus attempting to try a prisoner twice for the same offence, upon the same libel, and with only a fraction of the original jury. There was no doubt but that the jury had been discharged, and though in some cases the Court could liberate jurymen from attendance, they had no right to liberate fifteen of them, especially as they had already sat upon the case. If this principle were correct, the Court might liberate twenty, twenty-five, or even the whole, and try the prisoner without a jury at all. But, on the contrary, if the forty-five are present, the Court has no right to liberate even one of them. The argument on the relevancy must take place before the whole forty-five; and the panel is entitled to have it discussed before she is called on to plead. The only plea upon which the action of the Court could be defended was that of expediency—a most dangerous excuse for such an arbitrary proceeding.

In reply, Mr. Dundas maintained that the order of the Court adjourning the diet practically left the matter in the same state in which it was before the proof began; and he contended that the prisoner could not be said to have "tholed an assize" until a verdict had been returned. He examined the authorities and cases referred to by Mr. Cockburn, and explained their precise bearing upon the case. He stated that the prisoner was bound to have the trial completed, even in her own defence, since all the evidence that had been led was against her, and if she were dismissed she would have no opportunity of disproving it. The Solicitor-General did not think it necessary to add anything to Mr. Dundas's speech, and concurred with him in his arguments.

Mr. Jeffrey then addressed the Court for the prisoner in a speech which has been often referred to as a model of forensic eloquence. His chief argument was that the accident which had destroyed the perfect corporate existence of the jury should really have quashed the proceedings, and the Court had no power to appoint a new diet for trial until a new indictment had been served. When the jury is charged with the libel, it is charged irrecoverably, till an interposition of Providence put a stop to the trial. Whatever, therefore,

destroys their being as a jury necessarily terminates the libel with which they are identified, and, of course, the instance on which that libel proceeds. Besides, the clear intention of the Act of 1701, under which this trial had been begun, was, by fixing peremptory diets, to enable the prisoner, in certain cases, to escape without a trial, for the humanity of the law is even above its justice.

When he had concluded, the Court pronounced a distinct opinion sustaining the motion of the Lord-Advocate, and directing that the trial should proceed upon the former libel; that a jury should be balloted from the original list of forty-five assizers; and that the same witnesses should again attend to repeat their evidence. In fact, the former proceedings were to be obliterated from the time when the libel was found relevant, and the whole case tried a second time. The importance of this case as regulating future practice was thoroughly understood, and, to put the matter beyond doubt, each of the six Lords on the bench delivered separate opinions, though they were unanimous in recommending the course adopted. Lord Pitmilly remarked "that it would be a disgrace to our Criminal Code if means did not exist of preventing the escape of criminals in circumstances like the present;" and Lord Gillies admitted "that the remedy adopted in the present instance is sanctioned neither by statute, by precedent, nor by practice." The Denside case thus marks an epoch in Scottish criminal procedure, and was taken out of the range of ordinary murder trials by the exceptional incident which had occurred. As the arguments upon this point had occupied the Court from ten o'clock in the morning till five o'clock in the afternoon, the case was again adjourned till Monday, 19th February.

Never in the whole course of the history of Scottish jurisprudence had a similar scene been enacted to that which was witnessed in the Court of Justiciary on the morning of that day. All the Lords of Justiciary were present, and it was only when the case was called that its difference from all previous trials became apparent. The proceedings now began from the point when the relevancy of the libel had been proved; and as all the former actions of the preceding diet before this point were held as forming a portion of the present process, the strange phenomenon was presented of a prisoner put upon

her trial for life without the libel being read, or herself asked to plead. The Court had clearly assumed arbitrary powers, which revived recollections of the lawless times of three centuries ago.

When the jury was about to be elected by ballot, the prisoner's counsel objected to allowing the former list of forty-five to be taken, as fifteen of them had already been discharged, and the others had not been summoned for that day. The objection was repelled without discussion, as it was thought the decision of the Court had provided for it. Curiously enough, we cannot find two of the lists of jurors finally chosen to agree together as to their names and designations. The first witness called was Christopher Kerr, Sheriff-Substitute for Dundee district of Forfarshire. Before he was sworn, Mr. Cockburn objected to him and to all other witnesses who might be examined on this trial as *ultraneous*—that is, *voluntary* witnesses—since they had not been cited to attend this diet; but this objection was also over-ruled by the Court without discussion. Mr. Kerr then gave evidence as to the state of the prisoner when her two declarations were made, and he was corroborated by J. Boyd Baxter, the Procurator-Fiscal. The Lord-Advocate then moved that the two declarations be read; but Mr. Jeffrey objected to them, upon the ground that "the panel was subject to a hysterical affection—a wandering and weakness of mind—and that she was particularly in that state the night before, and for some days previous to, the first declaration being taken." That position he offered to prove at this stage by medical evidence, but it was agreed to defer the reading of the documents until further on in the trial. The examination of witnesses was then proceeded with.

Jean Norrie related the whole of the circumstances of Margaret Warden's illness and death in the same terms as we have done in our narrative. Her evidence was given in a clear and intelligible manner; and even the close cross-examination of Mr. Jeffrey did not shake her testimony. Only two matters really require our attention at this point—the intention of Warden to commit suicide, and what opportunity she could have. Jean Norrie "remembered of Warden saying in the field one day when she was holing a pickle potatoes, that she didna ken what to do, 'she would surely do some ill to hersel'."



Witness did not think that she intended to do so, though she said it; for she was a rash creature of her words." In reply to Lord Gillies, Norrie said "she never heard that Warden bought any drugs or medicines. She said she had some pills which she had got from the mistress; and they were the only drugs she ever saw her have." She further stated that "she never saw any rats about the byre; never saw any rats there till after Warden's death, when she saw one in the barn. Before Warden's death she never heard of poison being used to kill rats; never saw any poison in the loft above the bothy. Before Warden's death she does not recollect of hearing the panel or any of the men speak about rats. After Warden was dead and buried she heard some talk about rats."

Barbara Small, lived at Denside, in the house of James Millar, the foreman of the farm, and son-in-law of Mrs. Smith, saw Warden several times during the last three days of her life. Never heard her at any time threaten to put herself to death. "After Warden's death, panel said to witness that she had died of water in the chest, and she said Dr. Taylor told her so." "She was often in the byre, and never saw any rats there. She took charge of Mrs. Millar's children. Panel never told witness that there was poison laid about the house. She never forbade witness to take the children into the loft above the bothy."

Mary Gibson, niece of Mrs. Smith, saw Warden several times during her illness, but did not give any additional particulars.

Mrs. Warden's evidence has already been largely used in our description of the death-bed scene. She betrayed some anxiety to screen the Denside family from any evil result through her testimony. Her son, Robert Warden, gave evidence as to the funeral; and Ann Gruar related the incident which we have already described, when Warden declared her intention to take her life.

Usually the most puzzling portion of a trial for poisoning is that which deals with the medical evidence; yet it is rarely that witnesses engaged in *post-mortem* investigations agree so decidedly as in this case. Dr. Taylor, Broughty Ferry, was the only one who had seen the deceased upon her death-bed, and he had then taken her symptoms to indicate *cholera morbus*; but his examination of the body, together with Drs. Johnston and Ramsay, altered his opinion, and he declared that "he

had now no doubt that Warden died of poison, and that the poison was arsenic.” The only hitch in his evidence arose from his unwillingness to identify the body as that of Margaret Warden. “He could not say it was the body of a person he had seen, but it was certainly taken from the same grave in which the body of Margaret Warden was buried.” Dr. Johnston, Dundee, described the tests which he had applied for the detection of arsenic at great length, and conclusively proved, by cumulative as well as special evidence, that death had resulted from the administration of this poison. Dr. Ramsay concurred in the report, and had come to the same conclusion as his colleagues in the matter. Professor Christison had been employed to test portions of the intestines by the Crown agent, and his methods of investigation were unknown to and different from those employed by the Dundee doctors, yet they conclusively proved that arsenic in large doses had been administered, and had certainly caused death. This witness endured a most severe cross-examination from both Mr. Jeffrey and the Lord-Advocate, but he never for a moment wavered in his assertion as to the nature of the poison and the results which had ensued.

Thus far the evidence distinctly showed that Margaret Warden’s death had been caused by arsenic ; but there was as yet nothing to prove that the prisoner had any such poison in her possession at any time near the date of the decease. It was now the duty of the Lord-Advocate to lead the evidence at his command upon this most important point.

William Dick, surgeon in Dundee, was well acquainted with the Smith family, having been the medical attendant at Denside for a long time, though not for some five or six years before the trial. He kept drugs for his private practice. Two of his daughters had been on a visit to Denside in the August preceding Warden’s death, and Mrs. Smith had told one of them to ask her father to make up some poison for rats, saying she would call for it herself on the following Friday. This request was made on Monday, 21st August, but Miss Dick forgot to deliver her message, and Mrs. Smith omitted to call until Friday, the 1st of September. Dr. Dick was out when she called, and when he returned he found her in the kitchen, and she said to him, “You’ve forgot the poison for the rats.” He asked her, “What poison ?” She said, “Some poison I

sent for to kill rats." He asked if she had any cats, and she replied that she had, but that she was no better for them. He told her that he had nothing of the kind, but if it would oblige her he would get it from an apothecary's shop. She desired him to do so, and as he wanted some articles for himself, he went to the shop of Mr. Russell, apothecary, and ordered his shopman to put up some arsenic for a friend. The quantity supplied would be an ounce or an ounce-and-a-half; it was put into paper, and marked "arsenic" on one side and "poison" on the other; this was enclosed in another paper, which was also tied up marked in the same manner. It was about twelve o'clock when Mrs. Smith first called, and she was back at his house before one, and received the arsenic out of his own hands. He told her to mix it with up a little oatmeal, and cautioned her either to make it up with her own hands or to see it done, for fear of accident. *He told her it was arsenic.* She also got a small dose of laxative medicine—not castor oil—it was 20 grains jalap and 5 grains calomel.

Dr. Dick was examined by the Sheriff on the forenoon of the day upon which Mrs. Smith was apprehended. He did not conceal the circumstance of having procured arsenic for her; and this was probably the reason why Mr. Kerr had put the crucial question which had disconcerted Mrs. Smith and evoked a second declaration. Mr. Cockburn cross-examined this witness, and elicited the information that he had known Mrs. Smith for forty years, and had always considered her a humane person—liberal to her poor neighbours. She had been subject to hysterics, but he had not seen her in that state for a dozen years.

Andrew Russell, shopman to David Russell, apothecary, recollected having sold an ounce of oxide of arsenic to Dr. Dick at the time specified. He marked "arsenic" and "poison" on the package.

Mrs. Jolly, druggist, Dundee, knew Mrs. Smith. Not long before her apprehension she called on witness, and having asked a word with her, stated her case, and she recommended castor oil. Mrs. Smith said she had taken castor oil without effect, and asked if there was nothing else that would answer the same purpose. Witness gave her an ounce of castor oil, and there might be some white mustard along with it.

Mrs. Margaret Kerr or Smith, wife of the prisoner's husband's



brother, was at Denside the day after Warden’s death; asked if it was fever she had died of, and prisoner said it was. She understood that it was typhus fever to which she alluded, as it was then going about. She had seen her on the Sunday before she was apprehended, having been sent for, as she had taken ill. Mrs. Smith was in hysterics, and unable to tell her complaint. Witness remained with her till nine o’clock next day (2nd October), when she had recovered a little, but was not out of bed. She had known her to be affected in that way before, and had taken her out of church in that state. The fit made her insensible, and she forgot she had been in church, and could not speak correctly, even the second day after a similar attack.

Thomas Brown did not know his exact age, but was about twelve years; he was employed as herd at Denside from two months before Whitsunday till Martinmas last. He slept in the bothy; was never disturbed with rats there, never heard rats in the loft above the bothy, and did not recollect seeing any in the byre; he saw a dead rat in the barn one morning, but never observed any other about the place. He knew Margaret Warden, who is now dead; had no conversation about getting poison to kill rats, and never was sent for any arsenic. He was the only boy about the town [farm-steading]. He had been often about the loft, but never saw anything like oatmeal lying about it.

John Smith, farm servant at Denside, is no relation of Mrs. Smith. Saw Margaret Warden on the day before she was taken ill. She was then in good health and spirits, and was forking corn in the fields. He did not recollect having seen any rats in the course of last summer, though he slept in the bothy. He heard a noise in the loft frequently last summer, and suspected it was rats, but never heard of arsenic being laid there *before Warden’s death*. Never saw any dead rats about Denside. In cross-examination, he deposed that he saw rats the winter before last; they were in great numbers about the stable and byres, and the horse harness was much destroyed by them about Whitsunday last. There was poultry about the farm. Had heard Mrs. Smith say that many of them had died, and that she thought the rats had killed them.

As the witnesses for the prosecution had now been all

examined, the Lord-Advocate proposed that the declarations should be read. Mr Jeffrey, on the part of the panel, objected to the first declaration being read, because at the time when she emitted it she was labouring under a severe attack of hysteria, and, therefore, was not in a fit state to be examined. When he had challenged the first reading of these declarations, he had offered medical proofs as to her state of health, and he now adduced evidence to show that these documents were not to be relied on.

Mr. Lyon Alexander, surgeon in Dundee, knew Mrs. Smith; was called to go to Denside in a great hurry on the Monday [2nd October] on which she was apprehended, and arrived there betwixt twelve and one o'clock in the morning. Mrs. Smith was then in a state of stupor and insensibility; and appeared, when he entered the house, to be labouring under a violent nervous attack. She was far from being recovered when he left her at five o'clock in the morning. At that time she was talking of persons as present who were not. He did not think that she was at that time in a state to be examined on suspicion of having committed a crime. The recovery from these attacks is generally tedious. A person may be past that stage when he states illusions for reality, and yet be far from being recovered. Dr. Alexander saw Mrs. Smith in gaol next evening. She had then a very indistinct idea of what had passed the night before. Loss and imperfection of memory is a frequent concomitant of the disease. Her friends said that she had received a severe shock that day by having a grandchild nearly drowned. It was not his opinion that she was in a fit state to be examined in the forenoon between the times he saw her.

As the cross-examination of this witness is important, we transcribe it as it is found in the *Dundee Advertiser* of 22nd February, 1827, and in no other account of this trial:—

Dr. Lyon Alexander, witness—

By the Lord-Advocate—Witness thinks, according to his experience, that in her case it was impossible for her to be examined that day.

By Lord Meadowbank—The pulse was nearly natural.

By the Lord-Advocate—Witness was called by a man servant, who said that they were afraid she [Mrs. Smith]

would be gone before he got out. He had attended the Denside family for five or six years.

The evidence transcribed above refers mainly to the state of the accused before incarceration. The succeeding testimony shows the state into which she had fallen after her imprisonment, and though adduced for her assistance it seems to be decidedly against her.

Mr. John Crichton, surgeon, Dundee, visited Mrs. Smith in the gaol there on an evening in December. The people in the gaol were applying hot flannels. If he could give the complaint a name he would call it violent hysteria, approaching to epilepsy. She was not *then* in a state to speak coherently.

On this evidence it may be remarked that it is puzzling to see how the state of Mrs. Smith's health in December, at least *two months after her incarceration*, could affect the credibility of the declarations emitted on 2nd and 3rd October. And though this witness strongly asserted his belief that the illness of Mrs. Smith in prison was not feigned, the symptoms he describes are precisely those which would appear in a nervous patient actually under an accusation involving a capital punishment.

Mrs. Margaret Machan, sister of Mrs. Smith, saw her on the morning of her apprehension. She was then confined to bed. Witness assisted to dress her that she might go to Four-Mile House, and she fainted three times while she was doing so. Witness admitted to the Lord-Advocate that she did not continue long in the faint. Dr. Johnston was in the house at the time, but she did not call him, because she had seen her many times as bad as that.

James Yeaman, jun., of Affleck, saw Mrs. Smith at Four-Mile-House, and heard her declaration. She was perfectly collected until the last question was put to her. Patrick Mackay, messenger, was also present at this examination. Mrs. Smith was collected at the commencement, but towards the close, when a certain question was put, she became very much agitated, fell back in her chair, but soon recovered. No objection was made to her examination at the time on the ground of her alleged illness.

Having heard the evidence adduced for the rejection or reception of the declarations, the Court repelled the objection



without an answer from the Public Prosecutor, stating that the effect of the declaration must be left for the jury to decide upon. These documents were accordingly read, and this closed the case for the prosecution.

The exculpatory evidence was founded entirely upon the notion that Mrs. Smith had procured poison for rats; that Margaret Warden had seen her mixing it; and that the unfortunate deceased, goaded to extremity by her condition, had committed suicide to conceal her shame. Strenuous efforts were made to establish this theory, although the "forty-one witnesses" with whom the prosecutors were threatened did not come forward.

Annie Dick, daughter of Dr. Dick, detailed the cause of her visit to Denside, and mentioned that Mrs. Smith had asked her to request her father to procure some poison for the rats there. She had forgot to deliver her message, but when Mrs. Smith called, she believes she got the required mixture. When Mrs. Smith spoke to her about the poison, both Margaret Warden and Jean Norrie were present.

Grace Dick corroborated her sister's evidence in every particular.

The testimony of Andrew Murray, the rat-catcher, who had been advertised for, suggested another theory as to the means whereby Margaret Warden committed suicide. He stated that he had been at Denside "in the way of business" for the first time about three and a half years before, and had left some medicine (poison) to destroy rats, consisting of oatmeal, arsenic, and some anise. Was there about two years afterwards to destroy vermin in the Mill of Affleck, then in the possession of Mr. Smith, and had left some medicine with Mrs. Smith at that time. Was at Denside on Sunday week, being called in by the advertisement, and found vermin there—"the small Scots rat, and mice siclike." He only left medicine where persons were of that character who could be trusted with it. He did not actually see any rats when last at Denside, but only traces of them.

James Miller, foreman of the farm of Denside, and son-in-law of Mrs. Smith, had seen rats about the farm at Whitsunday, but not after. In cross-examination he stated that he was in the bothy some days after Margaret Warden's death. He was taken up by one of Mrs. Smith's sons to see some stuff in

the "craps" of the walls, said to be poison for rats. This was a day or two after Mrs. Smith's apprehension.

William Sturrock, wright, had some conversation with Mrs. Smith in June last year as to rats at Denside, and she said that she must have the rat-catcher back, or some medicine to destroy them.

Agnes Gruar corroborated the evidence of her sister Ann as to Warden's threat to destroy herself; and Ann Lees also asserted that she had once heard the deceased use similar language.

Mrs. Hamilton or M'Haffie, the woman who was advertised for, gave what she considered important evidence as to Warden's suicidal intention. She was a kind of hawker, and had been in the habit of visiting Denside, generally at night, as she frequently got free lodgings in the barn. She was there two or three weeks before Warden died. When Warden showed her to bed, she asked if witness would come and speak. She burst into tears, and said, what would she do, for she was not able for her work, and she had got rough usage from her mother and brother on a former occasion. Witness said, a mother's heart was aye kindly, and she would be the first to pity her. Warden said before she would be tossed and handled in the way she was before she would put an end to herself. Witness took her by the hand, and implored her not to speak in that manner. Warden then grasped her by both hands and bade her speak low, for there was some one in the close. She begged her not to reveal what she had said, for if she thought that she would put an end to herself before morning. Witness promised not to tell, and kept the secret until after Warden's death.

This woman M'Haffie had a boy along with her, and it was now the purpose of the defender's counsel to suggest that he had been sent by Warden to purchase poison. Robert Easson, merchant, Broughty Ferry, recollected of a boy coming into the shop, who asked for twopence worth of arsenic. He did not get the arsenic, never having sold any, but his wife said, "Was it not cream of tartar?" The boy said, "No, no, it was poison he wanted." Mrs. Easson said he would get it at the doctor's. This happened on the Monday or Tuesday of the week on which Warden died.

Dr. Andrew Fyffe objected to some of the tests applied to

discover the arsenic; and Dr. Macintosh was of opinion that all the symptoms of Warden's decease indicated rather a death from cholera than from poison. He admitted, however, that the presence of arsenic in the stomach proved that death had been caused by poisoning.

This concluded the evidence for the defence, and the Lord-Advocate began his address to the jury at 11 o'clock at night.

The speech of Sir William Rae, the Lord-Advocate, was clear and precise; and as he had to go over so much evidence, it occupied fully two hours in delivery. He pointed out that poison had been found in the stomach of the deceased, so as unquestionably to have caused her death. Dr. Fyffe, in his evidence for the defence, had attempted to show that the arsenic found in her body was *sulphuret*, whilst that sold by Mr. Russell was *oxide*; but Dr. Christison had explained that a chemical change in the stomach would convert the oxide into a sulphuret; and as a matter of fact *both* forms of arsenic were traced by the tests applied. It had been proved that Mrs. Smith had poison in her possession, and that she had given a false reason for this, as no rats had been seen by the servants on the farm. The evidence of the rat-catcher, who had only visited the place at long intervals, and who confessed that he had not *seen rats*, but only *traces* of them, could not overthrow the testimony of those who were constant residents in the place. He maintained that the assertion as to Mrs. Smith's illness before her examination had not been established, and he alluded to the strange remark which she made when on her way to Four-Mile-House, that she thought the violent vomiting would have cleansed the stomach of everything. He pointed out the discrepancy between the first and second declarations, and compared her denial that she knew it was arsenic with the decided evidence of Dr. Dick, contending that these contradictions carried convincing proof of guilt. Still more striking was the fact that she had given so many different versions of the cause of Margaret Warden's illness to various people, each incompatible with the other. Her interview with Dr. Taylor, and the conversation which took place between them, must have considerable weight with the jury. He ridiculed the idea that the girl had poisoned herself. No sufficient motive had been suggested for such an act. It



was incredible that she, who had already a child four years of age, should be so delicate in her feelings and so overcome with shame at her condition as to take away her own life with suicidal hand. There had been no concealment in the former case, and her rank in life precluded the notion that she had felt her shame to be worse than death. No clear evidence had been led to show that she was really serious in her threats of self-destruction ; and all the testimony given on this point was rendered doubtful by her dying declaration. That the panel could have administered medicines for the purpose of procuring abortion was also incredible, for she had not used the articles calculated for that purpose, but had chosen instead a drug of the deadliest kind. The case was one which rested entirely upon circumstantial evidence ; but the jury must not take the circumstances one by one. They must view them all together, and then say if they could come to any other conclusion than that the panel did administer poison to the woman, and that she had come to her death thereby. On the whole view of the case, he considered himself justified in claiming from them a verdict of guilty.

Mr. Jeffrey followed on behalf of the prisoner. “His speech,” says one authority, “was for the most part delivered in a slow, solemn, and impressive style, not common to this orator. Towards the conclusion, whilst presenting a view of the general bearing of the whole evidence, and enforcing the necessity of having the most clear and convincing proof to warrant the taking away of life, his elocution became exceedingly rapid and animated—exhibiting a fine specimen of the masterly and correct combination of fact, argument, and declamation for which he is distinguished. His speech occupied about two hours and a-half.”

In this case, he said, the jury had no alternative but to set at liberty the prisoner as a person unjustly accused, or to condemn her to death as a murderess. When they considered the total absence of any motive for such an atrocious act, and the calm and cheerful manner in which the panel had ministered to the deceased, day after day, during her illness, they would ask their consciences could she be guilty of so detestable a crime. If so, it was a crime of such barbarity, a guilt so abominable, that no language could adequately characterise it. He cautioned them against being misled by the feelings

of indignation so natural in such cases ; to consider the character of benevolence the prisoner had so long borne ; the motive for the crime charged so feeble ; and that there was no proof that she had ever regarded the object of her supposed vengeance with any feeling of hostility. But, he would ask, was there any evidence that the deceased had died by poison at all ? And here the learned gentleman, while he expressed his admiration of the science of medicine and of many of its professors, stated that he could place little reliance on the tests to discover poison. Those tests which were considered almost infallible a few years ago were now entirely disused as fallacious, and other tests employed which, perhaps, in the course of time, might be equally thrown aside for the same reason. He objected to the dates quoted in the indictment—Tuesday and Friday—as those on which it was averred that poison had been administered. No evidence had been offered as to Friday, and yet the whole of the medical witnesses concurred in stating that if the dose given on Tuesday were arsenic, the deceased could not have survived so long. He contended that it was not competent for the prosecutor to argue that poison *might* have been given on Wednesday or Thursday. His proof must be limited to the days specifically mentioned in the charge ; yet even his own witnesses asserted that it was highly improbable, almost impossible, that the girl could have lived till Friday. It was perhaps possible, but would the jury be asked for a verdict on a mere *possibility* of guilt ? They were bound to consider rather if there was a possibility of *innocence*, and if there was so, they were bound to acquit.

It was true that the panel bought poison, and that poison was arsenic ; but the reason of this was clear from the evidence. A professional rat-catcher had been repeatedly employed at Denside. He had been there four years before, and had returned fifteen months before the girl's death, and had killed rats by poison. Besides, Mrs. Smith went publicly to buy arsenic. It was sought before Dr. Dick's whole family, which was not likely had any unlawful use of it been intended. As to the dying words of the deceased, there were two editions ; but he contended that it was totally inconsistent with these words, the idea that they inferred the prisoner's guilt. It was much more probable that they were applied to her own

relations, or to the young man who had deceived her, but assuming that arsenic was found in the stomach, and that the deceased had died thereby, he contended that there was a much greater probability that she had taken it herself than that it had been administered by her mistress. That she had threatened self-destruction repeatedly was sworn to by six different witnesses. It was in unimpeachable evidence that she had declared her intention in a serious, solemn, and sorrowful manner, and in a tone which struck awe and horror into the minds of the hearers, and produced those calm and serious remonstrances which the witnesses had repeated. Assuming, therefore, that she had died by poison, he would ask whether it was possible to believe, in the face of all the evidence of her kindness and partiality for the deceased, that Mrs. Smith had harboured in her breast a vengeance so brutal? Was it not much more probable that Margaret Warden, actuated by a sullen and irritable temper, in the circumstances of destitution which appeared before her, and having the temptation within her reach, died by her own act?

“If, gentlemen of the jury,” he said in conclusion, “you have any doubt upon this point, you are bound to acquit the prisoner. You will look at the case in every point of view. and say whether you can find a clear verdict of guilty. I think that is impossible. I do not expect a triumphant vindication. I ask merely a verdict of acquittal, and I am entitled to expect it if there remain any mere doubt of guilt. I leave it to your consciences to say if you can convict any person on such evidence as is laid before you. With some confidence I ask a verdict of not guilty, but I *demand* a verdict of not proven.”

The summing up of the Lord Justice-Clerk began at three o’clock on Tuesday morning, and continued till half-past five. As usual the jury rose when his speech began, but, contrary to custom, they were not asked to resume their seats, and were forced to stand during the whole time of its delivery, though their endurance had already been severely taxed. In describing this speech one writer says:—“His Lordship went over the evidence at great length, dwelling with much emphasis on those parts of it which made against the prisoner. His Lordship’s impression, evidently, was that the prisoner was guilty.” He began by cautioning the jury to guard specially



against any prejudice which they might have taken through what they had heard out-of-doors in the very peculiar circumstances which had occurred. He over-ruled Mr. Jeffrey's objection as to the precise day when the poison was administered by showing from the criminal letters that the prosecutor had taken a latitude of days in the words "or one or other of the days," etc. As to counsel's objection to the admissibility of the first declaration—it had already been accepted by the Court, and must have its effect upon the jury. In his opinion both declarations carried on their face proof of the soundness and sanity of the prisoner when they were emitted. The first question for the jury was—Did Margaret Warden die of poison, and was that poison arsenic? If these two points were not established, all the other evidence fell to the ground. The symptoms of her illness did not necessarily infer poison; but when poison was found in the stomach, all the medical witnesses agreed that the symptoms were caused by its presence. It is absurd to assert that we must reject all medical evidence, as Mr. Jeffrey suggests, because it is possible that more exact tests for poison may be discovered at some future time. His Lordship thought the jury must be satisfied that she died through the administration of arsenic. The next question was—What evidence had they that it was administered by the panel? They found Mrs. Smith in the possession of arsenic at the supposed time of administration. Burning pain was one of the symptoms of this poison, and they found that the deceased complained of burning pain after receiving whisky or something else from her mistress. Panel had herself admitted that she gave her castor-oil on Thursday. The declarations were not only self-contradictory, but could not be made to agree with the evidence. Speaking of Mrs. Warden's testimony, he said, "If you are to believe her, Margaret Warden had distinctly accused her mistress of giving her something which had caused her distress. This was at a time when she thought herself dying; and if she had taken the poison herself, and not told her mother, she must have been the greatest hypocrite on earth to go out of the world with a lie in her mouth, indicating that she had got from another what had brought her to that state, while conscious that she had taken it herself."

In considering the exculpatory evidence, his Lordship

examined at great length the theory of suicide sought to be thereby established. After an elaborate analysis of the testimony, he proceeded:—

“In the last place, you will consider whether you are satisfied that there is evidence sufficient to prove that, though she died by poison, Margaret Warden was her own murderer. At this conclusion I cannot myself arrive, unless I am to believe the whole of the evidence for the prisoner, and disregard that of the other witnesses. From all that I have heard, I cannot believe that she took the poison herself. There is no vestige of evidence, not one witness among the cloud of witnesses which had been brought before us, that testifies to any other person having bought arsenic but the prisoner. The case is undoubtedly one of great importance, and you must consider it carefully. If you have no doubts you will express your conviction by a verdict of guilty. If otherwise, the rule of law is that where the scales of justice hang even, the person accused is entitled to the benefit of the most favourable construction.”

When his Lordship had concluded his charge, the jury expressed a wish to retire, and they were instructed to prepare and seal their verdict, and deliver it at two o’clock in the afternoon. Accordingly at that time the Court reassembled, and the jury having taken their seats, their Chancellor delivered a written verdict, all in one voice finding the libel *Not Proven*. The Lord Justice-Clerk then addressed them in this peculiar fashion:—“Gentlemen, I now discharge you from your duty. The Court have reason to be satisfied with the patience and attention you have bestowed upon this extraordinary and very painful case. The verdict you have just returned, gentlemen, is *your verdict*, and I now discharge you from any other duty in the case.”

Turning to Mrs. Smith, he said—“Mary Elder or Smith, the jury appointed to try the criminal charge against you have returned a verdict, in one voice, finding that charge *Not Proven*. They have not concurred in a verdict finding you not guilty; and, in now dismissing you from that bar, I leave it to your own conscience, before God, to apply their verdict in such a way as may be most conducive to your welfare in this world, and to your eternal welfare hereafter.” The prisoner was then dismissed *simpliciter* from the bar.

Thus was terminated one of the most exceptional trials of

modern times. The case has been detailed with some prolixity, principally because of the strange local features it presents, but also partly to counteract the absurd traditions regarding it which have long circulated in the neighbourhood of the scene of this tragedy. The popular voice condemned Mrs. Smith from the first, even before her defence was known; and scandal such as this grows more difficult to contradict as the years go by. But there has now been laid before the reader an impartial statement of this story, and he must judge for himself how far the many scurrilous ballads of the time were wrong when they boldly asserted the guilt of "The Wife o' Denside."

So much local excitement had been caused by this trial that it became the subject of more than one of the street ballads then current. One of these is especially worthy of notice, as incorrect couplets from it are still quoted. The following version may be accepted as accurate. It was taken down by the present writer at Downfield, on 10th August, 1884, from the recital of Barbara Small or Hodge, one of the witnesses at the trial, and formerly servant with Margaret Warden at Denside. She was then a bed-ridden old widow, and her death took place shortly afterwards at a very advanced age. Her version runs thus:—

#### THE WIFE O' DENSIDE.

Ye'll a' ha'e heard tell o' the Wife o' Denside,  
 Ye've surely heard word o' the Wife o' Denside,  
 Wha pushioned her maid to keep up her pride,  
 An' the Deevil is sure o' the Wife o' Denside.

The Wife o' Denside, the little wee buddie,  
 She tried to tak' up the trade o' the howdie,  
 But ah! ha, ha! her skill was but sma',  
 For she pushioned baith lassie an' bairn an' a'.

Her tippet was brown and her veil it was black,  
 An' three lang feathers hung ower her back,  
 Wi' her purse by her side fu' o' guineas sae free  
 That saved her frae death at the Cross o' Dundee.

Oh! Jeffrey, oh! Jeffrey, ye hinna dune fair,  
 For ye've robbed the gallows o' its ain lawfu' heir.  
 An' it hadna been you an' your great muckle fee  
 She'd hae hung like a trout at the Cross o' Dundee!



## XXIV.

## THE MYSTERIOUS HANGMAN.

## A MASKED EXECUTIONER IN DUNDEE.

ON the afternoon of Saturday, 30th May, 1835, the extreme penalty of the law was executed upon the person of Mark Devlin, on the scaffold in front of the Town House, Dundee. There was nothing romantic about the crime for which this young Irishman suffered ; and though his story was sad enough, as showing how a lad of good character may rapidly deteriorate through evil companionship, his offence was without what the French call "extenuating circumstances." Yet this execution was long remembered in Dundee because of the mystery surrounding the identity of the person who performed the office of executioner.

In Venice during mediæval times the decrees of the dreaded Council of Ten were always executed by a masked official. The two Scottish Sovereigns who met their deaths at the hands of Englishmen—Mary, Queen of Scots, and her grandson, Charles I.—were decapitated by masked headsmen. But in Scotland no such mystery was maintained.

In every burgh of any importance the hangman was a civic official. His fee was provided in a peculiar manner. He had the right to a "lok" or handful of meal out of every bag of meal brought to the weekly market for sale ; and hence he was called the "lok-man," as being a less opprobrious name than that of hangman.

During the eighteenth century the office fell into so much disrepute, chiefly because of the execution of the Jacobites, that many of the burghs ceased to retain local hangmen, and employed the officials in Edinburgh, Glasgow, and Stirling for "odd jobs" in the execution line of business. Hence, there was no official hangman in Dundee at the time of Devlin's expiation, nor for 15 years before that date.

The unfortunate man, Mark Devlin, whose ignominious death is now to be related, was a native of Stewartstown,

County Tyrone, and had been bred as a hand-loom weaver. In 1829 he came to Scotland and found employment in Glasgow, working at his trade, and residing in the east end or Bridgeton portion of the Western Metropolis. It appears that Devlin's father was a well-principled man, who brought up his two sons in a respectable manner; but both Mark Devlin and his brother John (also a weaver) fell into dissolute ways, and before they left Glasgow they had wandered far from their early simplicity.

About midsummer, 1832, the two brothers came to Dundee, and found occupation as weavers. Here they joined even more reckless companions than they had met in Glasgow, and they both gave way to drink. Mark Devlin, despite his loose character, had won the affection of a Glasgow girl, whom he married, and they took up house in the Hilltown. John, the elder brother, became Mark's evil genius. He had not approved of the marriage, and he conceived a violent ill-will against his sister-in-law.

Dundee at this time (1830-35) was infested by a band of evil-doers who revelled in breaches of the law, in rioting, housebreaking, and highway robbery. The newspapers of the period are filled with accounts of the lawless deeds perpetrated by these marauders; and it seems to have been believed that a Secret Society existed in Dundee, with separate bands organised so as to operate simultaneously in the eastern and western parts of the burgh, thus defying detection.

There was then no proper police control. The old system of Watching and Warding still prevailed; and it was partly because of the offence for which Devlin suffered that the Town Council was forced to carry through a special Police Act. So far as one can learn, there were only 14 constables to look after the burgh, though these had power to call upon the burgesses to act as Special Constables when a riot was anticipated, or a rescue of prisoners was attempted. It was impossible, therefore, that the "Black Band of Dundee" could be broken up by so imperfect a police force.

Apparently Mark Devlin and his brother had found associates in this lawless association. On 20th February, 1835, Mark and two other men were apprehended as being concerned in a house-breaking offence in the west end, and were imprisoned for further examination. While Mark Devlin was thus







The Town House, 1732.

detained intelligence was brought to the police that on the evening of Sunday, 8th February, he had committed a criminal assault upon a girl of fourteen years, and he was then charged with the more serious crime, which in those days was punished by death.

His two fellow prisoners were discharged for lack of proof in the house-breaking, but Devlin was ultimately taken for trial to Perth Circuit Court of Justiciary on 4th May. The case was tried with closed doors. Devlin was found guilty, and was sentenced to be hanged at Dundee on 30th May. Strenuous efforts were made by local philanthropists, who desired to see capital punishment limited to cases of murder, to have Devlin's sentence commuted; but these efforts were fruitless.

At length the fatal Saturday which was to see the termination of Mark Devlin's brief career came round, and preparations were made for the final solemn scene. At that time public executions took place in front of the Town House. The casement was removed from the eastmost window of the Guild Hall; a beam projected from the upper part of the window space, and a platform was erected on the sill, supported from the ground on pillars of wood, so that the last scene might be enacted in the view of the people. The "patent drop" of a later time had not been then invented. The method of hanging was primitive. By the oldest method the culprit was made to mount a ladder, to have the noose fixed round his neck by the hangman, and then to have the ladder withdrawn, so that his body might swing by the rope, causing strangulation.

In 1835, however, the plan was to carry the noosed rope over a pulley to a windlass inside the room, and when the noose was adjusted a few turns of the handle raised the victim off his feet, and death ensued. A railing about three feet high, covered with black cloth, was carried round the scaffold, so that the condemned man's struggles might be veiled.

During the forenoon crowds of sightseers began to assemble in the High Street in front of the Town House, and long before two o'clock the whole space was packed by a vast assemblage that filled up not only the open square, but also the newly formed road now called Reform Street; and every close and wynd that permitted a glimpse of the spectacle was occupied

Devlin was a Roman Catholic, and had been faithfully attended by Father M'Pherson, whose duty made it needful for him to wait on the unhappy man even to the end.

Since the office of hangman became obsolete in Scottish burghs it has been recognised as a point of civic etiquette that the youngest Bailie for the time being—that is, the latest elected to that office—should be responsible for the due execution of capital punishment. It seems that, in accordance with custom, an executioner had been engaged, either from Edinburgh or Glasgow, to officiate on this occasion; but for some unexplained reason he had grown faint-hearted on the morning of the execution, and positively refused to perform his functions. What was to be done? The Junior Bailie was probably as unwilling as the paid official; yet upon him rested the responsibility of seeing the work carried out.

In the midst of this perplexity a substitute was found. A mysterious personage came forward and proposed to fulfil the dread commission of launching Mark Devlin into eternity. He made one stipulation, however. He insisted that he should be allowed to wear a mask, lest he should be recognised by the people, and ever after held in derision. The proposal was accepted, and the amateur hangman, having seen the scaffold and apparatus in due order, joined the procession that entered the Guild Hall at two o'clock.

There first entered a constable, then the masked executioner, and then the prisoner, with Father M'Pherson and Father M'Kay from Perth. Devlin stepped firmly forward, shook hands with Sheriff Henderson and the Magistrates, mounted the steps that led up from the floor to the scaffold, and appeared unmoved before the crowd. The cap was adjusted, and raised so that the prisoner might address the people. He spoke a few penitent words, and then, at the accustomed signal, the rope was raised, and Devlin's career was ended. The body hung for forty minutes, and then was cut down and interred; and before five o'clock the High Street had resumed its wonted appearance.

The rumour soon got abroad that the strange masked hangman was not a regular executioner, but an amateur who had been engaged for this occasion. Speculation was rife as to his identity, and wild guesses were made on the subject. Suspicion centred on one man.



A certain James Livingstone was then a well-known character, being accustomed to going round the fairs in Scotland with hobby-horses and merry-go-rounds. Possibly he may have uttered some boastful words which fixed suspicion upon him. In any case, the scandal soon spread that James Livingstone was the person. So much was he annoyed by this unfounded clamour that he took steps to counteract it.

In the "Dundee Advertiser" of 5th June an account of Devlin's execution is given; and the mystery of the masked hangman is mentioned. As a note to the description of the scene, there is published in the paper the following letter:—

"Dundee, June 4, 1835

"Sir,—You and the public are well aware that the individual who acted as hangman at the execution of Mark Devlin did so in disguise. Some malicious enemy of mine has circulated a report that I was the individual; and I have been openly assailed most opprobriously with the false accusation.

"On the day of the execution I was in Forfar market, during the whole day, attending on my hobby-horses; for the proof of this I appeal to the respectable Provost of that borough, Mr. Meffan, who granted me permission to exhibit, and to Mr. John Stewart, Town Officer, who has the sole charge of pointing out the stands on market days; as also to the public of Forfar in general. Perhaps I have not any right to call upon the Magistrates of Dundee for the name of the individual; but I publicly call upon the presiding Magistrate to exonerate me. I am a poor man with a family, and cannot afford to lose my character in such a manner. Trusting you will give this a corner in your columns,—I remain, Sir, your obedient servant,

"JAMES LIVINGSTONE."

"We, the Magistrates of Forfar, do hereby certify that James Livingstone, from Dundee, was in the Market-place here, from ten o'clock forenoon till eight o'clock evening, of Saturday, the 30th of May last.—Witness our hands at Forfar, the fourth day of June, 1835.

"Pat. Meffan, Provost.

"John Lawson, Bailie.

"John Boath, Junr. Bailie."

Livingstone's appeal to the Dundee Magistrates produced no response. There was dead silence preserved among the members of the inner civic circle, and no declaration was ever publicly made on this subject. It was, nevertheless, known to some of the Town Councillors that a Dundonian had performed the hangman's duties, though the secret was religiously kept. A very worthy and highly esteemed Bailie, recently deceased, who was a mere boy at the time of Devlin's execution, but who came to learn the secret afterwards, refused to disclose the name of the amateur executioner, even after that person was dead. And thus the mystery of the masked hangman of Dundee remains unsolved.

## XXV.

## THE TRAGEDY IN THORTER ROW.

THE story to be narrated refers to a melancholy event which cast a gloom over Dundee for a time, and may still be heard about when aged Dundonians recall the days of their youth ;—the murder of John Drew Wood.

On the east side of Thorter Row there still stands a court which has borne the name of Monk's Court for centuries. It is probable that some part of the property there belonged in early times to the Franciscan Monastery ; and though at the Reformation the houses fell into the hands of laymen, the old name was retained. Two of the old buildings of that remote time are still in existence—a tenement with outside stair on the north side of the Court, and a quaint old tower staircase on the south side. The other buildings have been altered and re-erected during the past century.

About 85 years ago another house stood in the Court, immediately facing the entrance from Thorter Row, which has now been removed. It was a two-storey building with an outside stair, the upper flat being used as a dwelling-house, and the lower having cellars for storage. In 1838 this house was occupied by Arthur Wood, street porter ; his second wife, Henrietta Young or Wood ; his son by a previous marriage, John Drew Wood ; and three young children of his second wife.

On the early morning of Sunday, 5th August, 1838, Duncan Macnab, the night-watchman on the beat, passed through Monk's Court, and heard the noise of fighting proceeding from Wood's house. It seemed like the sound of two men struggling on the floor ; but as this was rather a noisy quarter—there were three public-houses with back-doors leading into the Court—he called out "Past one o'clock," and went on his way. Mrs. Scott, who lived in another house in the Court, had also heard the scuffling, and she distinguished the



voice of Arthur Wood saying in an excited tone—"I'll be your butcher before I sleep." Then there was silence.

Just as the Steeple clock was striking the hour of half-past one, Mrs. Scott looked out of her window and saw a strange sight. The door of Wood's house opened, and against the dim candlelight she saw Arthur Wood come out, holding up the apparently lifeless body of his son John by the shoulders, while Mrs. Wood held up the feet. Arthur backed down the stair, his wife following, and they laid the helpless young man on his back at the foot of the stair, with his head towards Thorter Row. A few words passed between the husband and wife as they returned up the stair, and then the door was shut.

The first impression of Mrs. Scott was that John Wood was drunk and quarrelsome, and that his father and step-mother had laid him in the Court so that he might be taken to the lock-up. This idea was confirmed when she heard Mrs. Wood say—"We'll no be fashed ony mair wi' him," as she was returning up the stair.

About fifteen minutes later the watchman, Duncan Macnab, came back to Monk's Court and saw the man lying motionless. At this time William Annal, tailor, who had been spending the night in Wright's Tavern, Thorter Row, came into the Court, and examined the body with the watchman, and found it was a dead man. A barrow was procured, and the inanimate victim was taken to the Police Office.

Sergeant James Low and Peter Forbes, police patrol, when the case was reported, went to Monk's Court to investigate. Low knocked at Wood's door, and was challenged by Wood himself, but eventually Wood opened the door and the two men entered. He found the husband, the wife, and one of the children there.

"Where is your son?" asked the Sergeant.

"He's not here; he shan't be here," answered Wood.

Turning to Mrs. Wood, Low repeated his query; but she evaded the direct question, said she had seen John about half an hour before at the door asking to get in, but his father would not let him; and when she was pointedly asked if she knew what had become of him, she said she thought she had heard him fall on the stair.

Low asked Wood if he had pushed John over the stair.

He said—"No, I did not do it, but I made another do it," and declined to say more.

Forbes was left in charge of the Woods, and Low returned to the Police Office.

The body by this time had been examined by Dr. Webster and Dr. Adam Moon, and they had found clear proof that John Wood had been strangled, the mark of the rope around his neck being visible. Low went back to Wood's house, and a brief search disclosed several pieces of rope. One of these, when applied to the dead man's neck, fitted the red groove which had been made when he was strangled. Wood and his wife were apprehended on the charge of murder.

A strange incident occurred on the Monday morning. As the prisoners were being driven to the jail in Bell Street by way of Friar's Wynd (Barrack Street), their vehicle met the waggon which was conveying the dead body of the victim, in its coarse black coffin, to the place of interment in the Howff. The street was so narrow that the cab with the supposed murderer and murderess had to stand aside till the accusing body of the murdered man was carried past to its final resting-place. What could be the feelings of that wretched couple to find themselves thus confronted by the silent witness of their own wickedness!

Though our first introduction to Arthur Wood showed him in sordid circumstances, there was a dash of romance about his career. He was a native of Ireland, the son of a small farmer there, and was born in 1778, and reared on the croft, obtaining a fair education from the hedge-schoolmaster, then the only disseminator of learning. About 1809 he left Antrim for Glasgow, and began life as a hawker. There he met Helen Drew, a native of Perth, whose father was a fish-merchant; and he married her and went to Perth, where he pursued his calling as a hawker. In 1813 he removed to Dundee, and there his son, John Drew Wood, was born.

Arthur took up the trade of assistant auctioneer, and his Irish humour, pleasant manners, sobriety, and uprightness in commercial dealings made him so great a favourite that he succeeded to his employer's business and became prosperous. A rash speculation in a bankrupt stock which he took to Aberdeen turned the tide of his fortunes. He fell into loose ways of living, took to drink, was separated from his wife,

and got decidedly on the down grade. His wife left him and returned to her relatives at Perth, and there she was killed by an accident on the roadway.

Wood went back to Ireland, taking his son and daughter with him; and in 1824 he returned to Dundee, leaving John with his grandmother in Antrim. It was not possible for him to regain the position he formerly held. He became a hawker, was afterwards a street porter, and did odd work as a mattress-maker, using the cellar under his house in Thorter Row as a workshop. In 1831 John Wood, then a lad of 15 years, came back to Dundee, and found occupation as a pedlar, assisting his father with mattress work. Three years afterwards Arthur Wood married Henrietta Young, a Dundee woman, and at the time of the trial she had had three children, two of them being alive.

John Drew Wood did not agree with his step-mother. He was rather loose in his habits, and when excited by drink the house was the scene of constant bickerings. Mrs. Young was determined to get rid of John, and often attempted to drive him with violence from the unhappy home. The week before his death she had assaulted him with a poker, and apparently his father conceived a strong dislike to him. This was the state of matters when the tragedy occurred.

The case came under the notice of John Boyd Baxter, Procurator-Fiscal, and after the usual preliminaries Arthur Wood and his wife were charged with murder. As Mrs. Wood was then in an interesting condition, the trial, which should have come on at the Perth Circuit Court, was delayed, and her child was born in the jail of Dundee. At length, on Monday, 25th February, 1839, the prisoners were brought before the High Court of Justiciary at Edinburgh. The Judges on the Bench were Lord Moncrieff, Lord Cockburn, and Lord Medwyn (father of the late Bishop Forbes); the prosecutor was the Solicitor-General, James Ivory, a distinguished Dundonian, afterwards Lord Ivory; and the prisoners were defended by Charles Neaves, also a Dundonian by descent, and afterwards the famous Lord Neaves.

The case was apparently a simple one, but feeling had run so high in Dundee, where Wood's genial humour was greatly appreciated, that the trial was watched with deep interest. Evidence was led to bring out the facts already related. In



their declarations the prisoners contradicted each other. Wood said that his son had not been at the house that night, while Mrs. Wood said that he had come to the door, and that she had refused to admit him. Both declared that they did not know how John Wood met his death. There were no witnesses for the defence. Mr. Neaves delivered an impassioned speech, pleading at least for a verdict of "Not Proven."

Lord Moncrieff summed up strongly against the prisoners, though he indicated doubt as to the guilt of the woman. The Jury, by a majority of 14 to 1, found Wood guilty of murder, and by 9 to 6 they gave a verdict of "Not Proven" against Mrs. Wood. She was at once released, and Lord Cockburn pronounced the sentence of death against Arthur Wood, ordering the execution for 18th March.

On the night of Friday, 1st March, Arthur Wood arrived at Dundee on the Edinburgh mail, and was transferred to the jail. He was a Roman Catholic, and was attended by Mr. Macpherson, the priest, until the day of his execution. Several of Wood's friends were permitted to see him, and to some of these he protested his innocence of the crime of which he had been found guilty, declaring that he had not seen his son on the fatal Saturday night. Petitions in his favour were prepared at Dundee and in Edinburgh, and were forwarded to Lord John Russell, then Home Secretary, with the result that the execution was deferred for one week. At length the following letter was received from the Home Office by Provost Kay:—

"Whitehall, 16th March, 1839.

"Sir,—Lord John Russell having received from Lord Moncrieff a report on the case of Arthur Wood, a convict under sentence of death, in the jail of Dundee, for murder, I am directed to acquaint you that, upon a full consideration of all the circumstances of the case, Lord John Russell regrets there are no sufficient grounds to justify him in recommending the prisoner to Her Majesty for any extension of the Royal mercy.—I am, Sir, your most obedient servant,

"S. M. PHILLIPS."

This letter was final, and when it was communicated to Wood he resigned himself to his fate. On Monday, 25th March,

the execution took place. The Jail and Bridewell, which had recently been erected at the corner of Bell Street and Lochee Road, was chosen as the scene of this event. At that time there were no buildings on the site recently occupied by the St. David's U.F. Church and the Metropole of the Salvation Army, so that there was an open space about four times the area of High Street. The apparatus projected from the east window.

About seven o'clock in the morning spectators began to assemble, and by eight o'clock it was calculated that about 10,000 people were congregated in front of the Jail. One of the Edinburgh papers had published an inflammatory article, inciting the crowd to rescue Wood when on the scaffold; and to preserve order two companies of cavalry had been sent from Edinburgh on Sunday, by order of the Home Office, and were stationed at Dudhope Barracks. At five minutes past eight Wood was conveyed up the stair of the Jail, and stepped through the window on to the scaffold. When the executioner had adjusted the rope round Wood's neck, the unfortunate man turned to the crowd, and, in a clear voice that was audible as far as Ward Road, he delivered a dying appeal, in which the following passage occurred:—

“Good people,—All you that are here this day take my fate as an example, especially those of you who get drunk or behave disorderly upon Saturday nights or Sunday mornings. Remember this, and let it sink deep into your hearts. I go before a just God to answer for my sins; but the crime I am here to suffer for I know nothing of it. I was not, to my knowledge, in the sight of God, either art or part in that crime. I never entertained a thought of it at any time, and I die freely without any knowledge of that kind before God. Neither did my companion, to my knowledge, entertain any such thought, or was art or part in the crime. It was said that she was the cause of quarrelling in my family; this I never knew anything of, now that before God I stand.”

Having finished this speech, the white cap was drawn over Wood's face; he dropped his handkerchief as a signal, the drop fell, and after a severe struggle the unfortunate man ceased to live. His body was cut down about an hour afterwards was placed in a coffin, and interred within the prison courtyard.

The feelings of the people of Dundee had been excited in

favour of Arthur Wood, and for a long time after the execution crowds visited Monk's Court, Thorter Row, to view the scene of the murder—indeed, this excitement was only allayed when the building was demolished some years after Wood's execution. In view of his dying confession it was thought quite possible that John Drew Wood had gone to the door of his father's house when in drink, and had fallen down the stair when refused admission, thus meeting his death by accident.

Only one witness had seen the ghastly procession of Wood and his wife carrying the dead man down the steps after their dread work had been completed. But then there was the proof that John had died from strangulation, and the very rope was found in Wood's house. It was impossible that any one could have come into Monk's Court and committed this dreadful crime during the half-hour that elapsed between the two visits of the night-watchman to the place. Despite these difficulties, there were many in Dundee who considered that Arthur Wood was a martyr to circumstantial evidence.



## XXVI.

## THE MURRAYGATE MURDER.

## A LAMENTABLE STORY OF INFELICITY.

## INEXPLICABLE PANIC AT EXECUTION.

**A**BOUT a quarter-past eight o'clock on the morning of Wednesday, 21st December, 1825, the residents in the house of Robert Clark, night watchman, Murraygate, were startled by repeated screams of murder. The tenant, Robert Clark, who had only returned from duty a short time before, and had gone to bed, started up and rushed into the kitchen whence the sound proceeded. There he saw his daughter, Margaret Clark (Mrs. Balfour), lying on the floor, bleeding profusely from two gaping wounds in her left side; and ere he could raise her head she expired. There was no one in the kitchen with her at the time save a lodger, David Anderson, who had heard Mrs. Balfour cry out to him—

“Oh! David, my man has murdered me?”

When he ran from his bedroom to aid her she was speechless, and she died immediately after her father came to her assistance. On the floor there lay the blood-stained butcher's knife with which the deed had been accomplished; but there was no trace of the murderer.

The agonised shriek of the murdered woman had alarmed other residents in the tenement. Mrs. Watson, who lived in the house below that of the Clarks, came out of her dwelling and ran upstairs in alarm. While on her way a man, whom she recognised as David Balfour, brushed rapidly past her, and as he ran down the stair she cried out:—

“Lord preserve me! Ha'e ye murdered her!”

Ann Stormonth, who served in a confectioner's shop at the entrance to the stair, had also been alarmed by the outcry, and she, too, saw Balfour running in hot haste towards the High Street. These two women entered Clark's house, and

witnessed the last scene of the tragedy. Dr. Thomas Pitcairn, who lived near by in the Murraygate, was immediately called in, but life was extinct before he arrived.

Meanwhile David Balfour, the perpetrator of this fearful deed, made his way speedily to the Town House, which was then the Jail of Dundee, and asked to see John Watson, the jailer in charge. Watson was not there, and Balfour told Charles Watson, turnkey, that "he had done such an atrocious deed that he should be locked up—he had murdered his wife." For nearly an hour the unfortunate man paced up and down at the Pillars in a distracted state, waiting till the jailer would arrive. When John Watson came on the scene Balfour at once gave himself up, asserting that he was guilty of wife-murder.

In the course of the forenoon he was brought before Bailie James Gray, and emitted a declaration in which he accused himself of murder. He was committed to prison, and on 26th December (five days after) he signed a second declaration repeating his self-accusation. From these two documents the whole of David Balfour's sad story may be learned.

While no one would seek to minimise the guilt of one so abandoned as to commit so dreadful a crime, it is not possible to withhold compassion for David Balfour as the victim of circumstances. He was born in the parish of Dun, Forfarshire, in 1787, his father having been coachman to Mr. Cruickshanks of Langley Park. David lived with his father there till he was ten years old, when he came to Dundee, and was apprenticed to the sea-faring trade with Robert Lithgow, master of the brig Helen. He served with this famous old Dundee skipper for four years, and shortly after his apprenticeship was out he was taken by the press gang, and for eleven years he was a seaman in the British Navy.

About three years after he was pressed he met Margaret Clark, whose father was then a labourer in the Dundee Sugar House, and Balfour fell violently in love with her. They were then both about 16 years of age, and, despite their youth, circumstances made it expedient that they should be married. Balfour had been warned by some of his comrades against keeping company with Margaret Clark, but he was so infatuated with love for her that he would not listen to reason, and in 1804 they were married, and took up house in the Seagate.

While Balfour was in the navy he could only pay intermittent visits to Dundee, but he still maintained a house for her in Dundee, and she lived on his half-pay, and on the money obtained by letting his room to lodgers. In 1813, after the Declaration of Peace, Balfour was discharged from the navy, with a pension of £4 annually. He returned to Dundee, and sailed from that port in trading vessels for about four years, residing with his wife when on shore.

In 1815 Balfour's complaisant good nature brought him into pecuniary difficulties. Robert Clark, jun., manufacturer, Dundee (his wife's brother), required money, and he induced his father and Balfour to sign an accommodation bill that he might thereby "raise the wind." When this bill was nearly due, Clark was unable to take it up; his father had nothing to depend upon but his weekly wage; and the whole weight of the embarrassment was about to fall upon Balfour.

At this time there was a lodger in Balfour's house—a certain Alexander Hogg, a foreman of the wrights engaged at Dundee Harbour, who was possessed of some money. Mrs. Balfour asked his assistance in her husband's dilemma, and it was frankly given. But the conduct of Hogg and Mrs. Balfour awakened David Balfour's suspicions; and he soon noticed, on his return from his sea voyages, that her affections had been alienated from him. It may have been his own deep-seated love that made him over-jealous; and possibly he exaggerated the importance of trifling circumstances, for under the influence of this passion the clearest vision becomes distorted. What says Iago to the fiery-tempered Othello?—

O beware, my lord, of jealousy;  
It is the green-ey'd monster that doth make  
The meat it feeds on.

The raging doubt in his mind at length gained such power that he tried to get her to leave Dundee; but her mother induced her to remain, and she gave up her own house and returned to that of her father. Alexander Hogg became at the same time a lodger in Clark's house, and Balfour, who was refused admittance to the house, removed to Aberdeen, from which port he sailed for three years. Occasionally his wife visited him there, and at length he persuaded her to take up house with him in Greenock, and for two years he sailed in



vessels trading between that port and Belfast. The Balfours had had three children, but only one, a boy, survived. He lived with the father and mother, as did also Robert Clark, jun., who had removed to Greenock.

The house in which the Balfours lived was rented from Turtle (or Torquil) Macleod, tavern-keeper, a widower with a six-year-old boy. Apparently Mrs. Balfour had fascinated Macleod, and Balfour soon had renewed cause for jealousy. On one occasion when he returned unexpectedly from a voyage he found his house deserted, and, suspecting his wife's fidelity, he watched Macleod's house, and saw her leave there near two o'clock in the morning. He followed her home, taxed her with unfaithfulness, and forced her to acknowledge her guilt and to implore his forgiveness. He pardoned her, but told her she must leave Greenock to be away from Macleod's influence.

By this time her mother was dead, and her father, Robert Clark, now a night-watchman, proposed that she should go back to Dundee to keep house for him. To this suggestion Balfour gave his consent, and next day he provided money for the removal. Balfour then went on a voyage to Dublin, and when he came back to Greenock he found that she had returned to Dundee, but that she had taken Macleod's son with her, and that Macleod himself had followed her on the succeeding day. She had left her own son, David, in Greenock. Balfour set off at once for Dundee, and there he learned that Macleod had returned to Greenock, taking with him Mrs. Balfour's younger sister, 16 years of age, as housekeeper, and leaving his own son in Dundee. Macleod's boy was a frequent cause of disturbance in the Balfour household, but Mrs. Balfour refused to part with him. At length, after Balfour had personally applied to Macleod, the boy was taken back to Greenock about a fortnight before the day of the Murraygate murder.

In October, 1825, Balfour took service in the Newcastle and Berwick Packet, sailing between Dundee and Liverpool. On a voyage in this vessel he was wrecked at Blackpool, and had to return to Dundee as passenger in the sloop Anna, arriving on Sunday, 18th December. He did not get ashore till Monday morning, and then made his way to his father-in-law's house in the Murraygate. His wife received him coldly, saying, "You have got Macleod's boy away, but it will cost you dear."

She refused to allow him to remain in the house, and all that day he wandered disconsolately about the streets, brooding over his wrongs.

In the evening he went back again, and found two of his wife's brothers in the house. One of them, Andrew Clark, ordered him out, saying that he must find lodgings elsewhere. Balfour remained, however, though his wife refused to speak to him. On Tuesday morning he arose early and went out, without seeing his wife, and when in the High Street he met Andrew Clark. He appealed to him, asking what was to be done. Clark replied roughly that the best thing he could do would be to quit Dundee, as they were all ashamed of him and his wife.

To a sensitive mind like that of Balfour, the rebuff was disconcerting. He rambled about the Shore during that day, taking neither food nor drink, and meditating suicide. Returning to the Murraygate about six o'clock, he found his wife and her cousin, Margaret Ireland, there. He entreated Mrs. Balfour to be on friendly terms with him, urgently imploring her to renew the love of their early days, but "she refused, with many oaths," according to his own statement, and said that "she loved Torquil Macleod's finger better than his (Balfour's) whole body."

Balfour convoyed Margaret Ireland to her home in Hilltown, and returned to the loveless home about ten o'clock. When the Clarks and the lodger, David Anderson, had gone to bed, Balfour and his wife were left alone sitting by the fire. A dispute arose between them, with mutual recriminations, and at length Mrs. Balfour went into one of the rooms and barricaded the door with a chest of drawers. All that night Balfour lay on the kitchen bed, fully dressed. About half-past seven on the fatal Wednesday morning he rose, and went to his wife's bedside. He took her hand and said—

"Oh! Margaret, why will ye no mak' peace atween us?"

But she replied—"Begone, you vagabond! I will have nothing to do with you, and some misty morning you will find me away from Dundee. As for you, I will have you fixed"—meaning in jail—"before twelve o'clock this day."

Then Balfour broke down, and saying sorrowfully, "Oh! Margaret, God forgive you!" he left the house.

The heart-broken man wandered disconsolately down to the







Murraygate a Century Ago.

shore, and there he met Thomas Houston, an old ship mate, to whom he related his sad story. "We went in together to the shop of Mr. Dalgairns on the shore," he said, "and had a gill of whisky between us." Houston condoled with Balfour, but when the latter declared he "would make an end of it," Houston warned him of his danger and left him.

Turning up the Greenmarket, Balfour made his way to Butcher Row, intending to purchase some beef for breakfast. He went to the stall kept by William Small, flesher, and a devilish thought entered his mind. He asked Small if he would lend him a knife "to kill a lamb." Small laughingly replied that that was not the season for lamb; but Balfour said that he had brought a beast with him on board ship, and he wanted to kill it. He obtained the knife, and went directly to the Murraygate house. He found his wife alone in the kitchen. He asked her to give him a shirt he had left. She brought it out of the room, threw it contemptuously to him, and said—

"Do you want anything else, you blackguard?"

He answered—"Oh! Margaret, Margaret, if you knew what belonged to your peace you would not say so."

She then came threateningly towards him, intending to push him to the door. He drew the knife out of his pocket, made a blind slash at her body, flung the weapon from him, and rushed out of the house. Then he went straight to the Town House, and gave himself up to the jailer, as already related. His own declaration was that when he borrowed the knife he intended to take his own life should he not find her; but if she was there it was his purpose "to take away her life first that she might not glory in his destruction."

On Sunday, 25th December (Christmas Day), 1825, the body of the unfortunate victim was buried in the Howff, an immense concourse of people gathering in the Narrow of the Murraygate, along the High Street, and up the Burial Wynd (Barrack Street) to witness the sad procession. The South Gate of the Howff had to be guarded by policemen. The aged father of the deceased appeared to be overwhelmed with grief, and it was with difficulty that his friends could bring him away from the grave.

On Tuesday the assassin was fully committed for trial, and he was attended while in prison by Dean Horsley. The trial

took place at Perth, on Thursday, 20th April, 1826, before Lord Pitmilley and Lord Alloway. When the indictment was read, Balfour pleaded "Guilty," but the advocates present urged him to withdraw the plea so that the trial might proceed, and accordingly he amended it.

The case presented no legal difficulties. The witnesses were those present in the house at the time and immediately after the murder; and William Small identified the knife which he had lent to Balfour. No witnesses were summoned for the defence, but questions were put to Andrew and James Clark regarding the conduct of their sister, Mrs. Balfour. Alexander Macneil delivered an eloquent speech for the prisoner, pleading that it was a case of mental derangement.

Lord Pitmilley summed up strongly against the accused, and said:—

"Jealousy, revenge, anger from insult or other provocation, and every other passion to which human nature is subject, are aberrations of the mind, but not such as to justify the commission of so heinous a crime as that with which the panel is charged."

The jury, after an absence of an hour, unanimously found the prisoner guilty, and by a majority recommended him to mercy. The sentence was that Balfour should be hanged at Dundee on 2nd June, between the hours of two and four o'clock afternoon.

Early in May a petition, numerously signed, was sent to the King (George IV.), praying that the sentence might be commuted to transportation; but Mr Peel, the Home Secretary, declined to advise the King's interference.

On Friday, 2nd June, David Balfour was executed on a gibbet erected outside the Guild Hall, facing High Street. There had not been an execution in Dundee for 25 years, and the case of Balfour had caused much excitement. Many of the inhabitants left the town to spend the day at a distance from the tragic scene; but vast crowds came pouring in from the country districts, and it was calculated that 18,000 people were assembled in the High Street, while many more filled up the closes and wynds in the neighbourhood. About one-third of the assemblage consisted of women.

The prisoner was led up to the Guild Hall, was bound there, and then marched through the westmost window on to the



scaffold. After a hymn had been sung, in which the prisoner joined, he addressed a few words to the multitude. On a sudden a movement was observed towards the west end of High Street, as if a bombshell or some object of terror had fallen amongst the crowd.

The scene that ensued, as viewed from a neighbouring window, and described by an eye-witness, was most exciting. Men, women, and children were overturned, screaming and sprawling in all directions. No sooner had quietness been restored than a similar panic occurred immediately under the scaffold; and the uproar was thrice renewed.

Amid all the turmoil Balfour remained unmoved, and at ten minutes to three o'clock the bolt fell, and his tragic story was ended. For many years afterwards the mysterious panic at Balfour's execution was regarded by the superstitious as a supernatural interposition.

## XXVII.

## THE KINGENNIE MURDER.

**M**ORE than fifty years have elapsed since Dundee was startled by the story of a tragic murder which had taken place at Kingennie, near Murroes, Forfarshire. The body of a gamekeeper, George Spalding, had been found in a ditch by the roadside, partly thrust under a bramble hedge, and showing marks which plainly indicated foul play.

In those days the "new journalism" had not developed the art of working up sensational incidents; yet the story had so much of a dramatic character in it that the leading newspapers in Scotland, London, and the English provinces had daily articles on the subject, narrating the steps by which the mystery of this murder was solved. In Dundee the event excited very great interest, and as each day brought forth new particulars, the local papers were perused with avidity, and speculation was rife as to the unknown perpetrator of the deed.

Six months elapsed ere the murderer was brought to suffer the penalty of his crime, and the excitement naturally subsided; but even now there are survivors to whom the very name of "The Kingennie Murder" will recall a period of intense interest. The story itself, when fully disclosed, was sordid enough, and had nothing romantic in its details; though there were circumstances of an exceptional character connected with it which took the incident out of the range of average crime.

George Spalding was a gamekeeper, 42 years of age, who lived in a house at Kingennie. There resided with him his father, Richard Spalding, a bed-ridden old man of 82 years, his two sisters, Jean and Susan Spalding, and a nephew, 11 years old, also named George Spalding.

On the forenoon of 24th September, 1872, Susan Spalding was at work in the fields, and Jean Spalding was engaged at the wash-tub. She hung out several shirts on a rope near

the house, and then went towards the neighbouring wood to lay out some clothes for bleaching. When she returned to the house she found that the shirts had mysteriously disappeared. She told her brother George of this strange circumstance, and mentioned that she had seen a tramp passing some time before, who might have stolen the shirts. George Spalding at once set out with his young nephew, thinking they might overtake the thief and regain the booty. He took his retriever dog Juno also, more from his habit as a gamekeeper than with any thought that the dog might help to trace the culprit.

They made their way to the wood, and young George soon returned, saying that his uncle had found some one. Jean Spalding went toward the wood and saw her brother along with a man carrying the missing shirts under his arm. Some words passed between George and his sister, and he told her that the man said that a chum of his had taken the shirts, but he knew where they were concealed. He had accordingly gone to a place where the bundle had been secreted and partly covered with grass; but he denied that he was the thief.

This story was not credited by Spalding, who declared that he would take the man to Monifieth Police Office, where he could answer to the charge. About four o'clock Spalding started with his prisoner for Monifieth. The dog followed them. As Jean Spalding watched them passing down the service road which led past their house to join Arbroath Road, she little thought that she was never again to see her brother alive.

About half-past nine o'clock at night the dog Juno returned alone to the house, where the two sisters and nephew were awaiting the return of George Spalding. They were not unduly distressed, even when the night was far advanced bringing no tidings of him, for his occupation as gamekeeper often compelled him to wait out in the open a whole night through; so they went to bed undisturbed by his absence.

But about eight o'clock next morning they became alarmed, and Susan Spalding and her nephew, young George, set out to look for their missing relative, taking Juno with them. They walked down the narrow pathway towards Arbroath Road, and when they had come near the boundary between the estates of North Grange and South Grange they noticed something peculiar in the conduct of their canine companion.



Juno became very uneasy. She would run forward "little bitties" and then look back towards the woman and boy, as if asking them to follow her lead. But they did not understand the signs made, and had begun to return homeward when (as young George afterwards said) "she gave a great yowl. My aunt sent me back to see what was the matter. I looked in a bramble bush and saw my uncle's body."

The corpse was lying partly in the ditch at the side of the road, the head being thrust under the bush and sprinkled over with grass. Susan Spalding hurried to the spot, and soon saw that her brother had been dead and cold for several hours. The two hurried across to Ethiebeaton Farm for assistance, and speedily a cart was brought to the scene of the tragedy, and the lifeless body was taken home.

The news of the murder spread like wildfire through the countryside, and very soon there was intelligence forthcoming as to what took place after Jean Spalding had seen the last of her brother. Putting together the evidence of various witnesses, the following is the continuous narrative. Spalding made his prisoner carry the stolen shirts under his arm, and it may be supposed that he expressed his mind freely as to the man's guilt. A gentleman who met the strange couple asked Spalding about his companion, and the gamekeeper replied that "he was a rascal," and that he was taking him to Monifieth. The prisoner, irritated by Spalding's language, protested, and declared in the hearing of two witnesses that he "wad do for him."

They proceeded on their way alone, but the prisoner, seeing Spalding's dogged demeanour, determined to escape. At a turn in the road he suddenly bolted, and made off towards the highway. Juno, incited instinctively by her master, dashed after the runaway, seized his nether garment, and held as well as she could till Spalding came up. After a brief scuffle (seen by two eye-witnesses), the prisoner was collared by his captor, who marched him forward to captivity. The two men and the dog thus passed beyond human view, and no eye again beheld George Spalding in life.

What took place within the next few minutes can only be conjectured. It seems probable that a bitter altercation began between the two; that the accused reproached Spalding for setting the dog on him, and that Spalding replied with

heated and insulting language. A struggle ensued—as was afterwards shown by the state of the pathway—and the culprit, seizing his opponent's throat with too rude a grasp, and throwing him to the ground, strangled him ere he knew what he was doing. Spalding's head had come into contact with a stone, and the concussion having made him unconscious, the pressure of his antagonist's iron grip deprived him of life.

It is likely that in this struggle there was no thought of murder by either of the men. But the deed was done, and the murderer gazed, horror-stricken, on his victim :—

Nothing but lifeless flesh and bone  
That could not do me ill ;  
And yet I feared him all the more  
For lying there so still ;  
There was a manhood in his look  
That murder could not kill.

Hurriedly dragging the body to the side of the road, and trailing it through the ditch, the assassin thrust it partly under the hedge, nervously plucked some grass from the field, and scattered it loosely over the face, as though that could blot out his crime or conceal it ! And there the lifeless body lay until Juno and young George Spalding found it next forenoon. By that time the culprit had fled far from the scene of his crime.

Who was the murderer ? Suspicion at once pointed to the tramp who had stolen the shirts. He was the last who had been seen in Spalding's company ; they had been quarrelling at that time ; and naturally this tramp must be captured and made to explain how Spalding had come by his death. The vagrant had been seen not only by Jean Spalding and young George, but also by a woman working in a field.

He was so hideously ugly that his face could be easily remembered. Indeed, when he asked the time at this field-worker, she was so shocked at his brutal face that she was terrified and could scarcely answer him. This was about six o'clock, and he was going towards Arbroath Road. The police of Dundee, when the matter was reported, apprehended several suspected tramps, but these were released when they accounted for their doings on Tuesday, 24th September. The description of the repulsive features of the tramp, given by

Jean Spalding and other witnesses, suggested one person. There was at this time in Dundee a labourer called Thomas Scobbie, who was so repulsive in appearance that he was ironically named "Bonnie Scobbie." He was promptly taken in charge on Thursday, 26th September, and removed from the Victoria Model Lodging House in the Overgate to the Police Office.

Scobbie's trunk was searched, and several pawn-tickets were found. These represented clothes which he had worn on 24th September, and pawned the following day. The trousers were torn as if by the teeth of a dog, and one of the shirts had marks of blood at the neck. One of Scobbie's friends was a fiddler in the Overgate, whom he had visited on the night of 24th September. This man and the woman who lived with him both testified that Scobbie's face was then all scratched and covered with blood, and that the skin of his neck had been torn. When challenged by them Scobbie said that a woman he knew in Cotton Road, Dundee, had quarrelled and fought with him; but he hastily washed away the blood marks.

There was enough of presumptive evidence to justify the Procurator Fiscal in detaining Scobbie in prison. But the subsequent proceedings were hardly in consonance with fair judicial procedure. The Fiscal ordered that Scobbie should be taken out to Kingennie for identification. Jean Spalding and young George both recognised him, as did others, as the tramp who had passed that way on Tuesday, 24th September. Then the old but deservedly obsolete Scottish legal form of confronting the accused with his victim was adopted. George Spalding's body was coffined and ready for interment, but, with horrid brutality, it was ordered that the coffin-lid should be unscrewed, and Scobbie was brought face to face with the dead man. He was then asked: "Did you ever see that man before? Did you murder him?" His reply was: "No, no; I'm bad and bad eneuch, as the polis ken, but I'm no a murderer!" Despite this declaration, Scobbie was carried back to Dundee, and imprisoned on the charge of murdering George Spalding. He was not brought to trial till the following April.

At this point the life-story of Thomas Scobbie may be related. He was born at Crossford, near Dunfermline, in



1837, his parents being poor but industrious. He was not taught any trade, though he worked for some time in a rope work, was a ploughman, spent a short period at the loom, but was chiefly engaged as a labourer. His early history was bad. On 30th January, 1854, he was convicted of theft before the Sheriff at Dunfermline, and imprisoned for ten days. In 1855 he enlisted in the 92nd Regiment as a "ten years' man," and was sent to India. Here he was actively engaged throughout the Sepoy Mutiny, and established a good record, being abstemious in the matter of drink, and well-behaved. After the Mutiny was suppressed, the 92nd Regiment was ordered home; but those who wished to continue in the Indian service were allowed to be transferred.

Scobbie exchanged to No. 4 Company of the 79th Regiment, and remained in India. In 1865 he suffered so severely from palpitation of the heart that he was invalided home. After some months in Portsmouth Hospital, he joined the 79th Depot at Aberdeen, and here he met the woman who became his wife. He was removed to Fort George, and while there in 1866 he was discharged as "a time-expired man."

Soon afterwards he fell into his old ways. On 10th October, 1867, he was tried and convicted of theft at Inverness, and sentenced by the Sheriff to 40 days' imprisonment. At Dunblane, on 31st July, 1868, he was imprisoned for 40 days for theft. He then returned to Dunfermline, and associated with the worst characters there. On 1st March, 1869, he was sentenced at Dunfermline to six months' imprisonment for his old crime of theft; and shortly after his release he was tried on 28th October, 1869, before the Sheriff at Cupar, and committed to Perth Penitentiary for twelve months.

With such a record Scobbie could not expect much consideration. About the end of 1870 he came to Dundee, and worked as a carter, a lumper, and a labourer in a dye-work. He was well known to the police, and as his unprepossessing countenance had made him "kenspeckle," suspicion speedily turned towards him after the Kingennie murder.

It took a long time to prepare the case, and it was not till 8th April, 1873, that he was brought up for trial before Lord Deas and Lord Jerviswoode at the Dundee Circuit Court. The prosecutor was Mr. Henry H. Lancaster, and prisoner was defended by Mr. Andrew Jameson and Mr. Charles Scott.

The evidence led for the prosecution brought out the facts already narrated. There were no witnesses for the defence. Mr. Scott made an eloquent speech on behalf of the accused, and Lord Deas summed up in a manner distinctly adverse to Scobbie. The jury, after an absence of fifteen minutes, brought in a verdict of guilty; but the Foreman (the late Councillor G. H. Nicoll) stated that the jurymen by 14 to 1 wished to recommend the prisoner to mercy.

Lord Deas then pronounced sentence in the following terms, and it is important to note the wording of this sentence:—

“In respect of the said verdict of Assize against the panel, Lord Deas and Lord Jerviswood decern and adjudge the said Thomas Scobbie, panel, to be carried from the bar back to the prison of Dundee, therein to be detained, and fed on bread and water only, until Tuesday, the 29th day of April next to come, and upon that day, betwixt the hours of eight and ten o'clock forenoon, within the walls of the said prison, to be hanged by the neck upon a gibbet by the hands of the common executioner, until he be dead, and ordain the said body thereafter to be buried within the walls of the said prison, which is pronounced for doom.”

Lord Deas undertook to forward the recommendation to mercy to the proper authorities, and Scobbie was carried back to prison and put in a temporary condemned cell.

A strong feeling arose in Dundee against this sentence, many thinking that the death of Spalding had not been deliberately planned, but that it was the result of an outburst of passion under “extenuating circumstances.” The jurymen drew up a statement declaring that “the prisoner committed the deed without malice or premeditation, and under circumstances of considerable provocation.” Mr. W. B. Milne and Mr. Walter Baxter, solicitors, agents for Scobbie, forwarded this petition.

The inhabitants of Dundee, to the number of 4321 persons, signed a petition 60 feet in length, asking the Royal clemency to be extended, and this was sent to Mr. H. Austin Bruce (afterwards Lord Aberdare), then Home Secretary, by the late Sir John Ogilvy, Bart. of Inverquhar, then M.P. for Dundee. The Society of Friends (Quakers) also protested against the execution; but it was not till 25th April—four days before the dread day—that a respite was granted, and

the prisoner was ordered "to be confined during Her Majesty's pleasure."

It did not become public for a long time afterwards that the principal reason for this respite was not tenderness for Scobbie, nor regard for the petitions, but to cover up a blunder by Lord Deas. When writing the sentence that Judge forgot that April had begun (it was the 8th) and the phrase "next to come" was fatal. There would not be a "Tuesday, 29th of April next to come," for six years after the time contemplated; and Scobbie would have been executed at the peril of everyone concerned. It was therefore deemed advisable that the sentence should not be carried out at all. As a matter of fact, Scobbie was detained in prison till the second Jubilee of Queen Victoria (1897), and was then released. He made his way back to Dunfermline, and died there shortly afterwards.

A curious circumstance arose in connection with Scobbie's expected execution. At that time William Calcraft was the public executioner. He was born in 1800, was successively shoemaker, watchman, butler, and hawker, and was employed to flog boys in Newgate Prison, London. In 1828 he first acted as hangman, and in the following year was appointed as official executioner. To him the Magistrates of Dundee had applied to officiate at Scobbie's execution, the fee being twenty guineas, with travelling expenses.

Meanwhile William Marwood (born 1820) was anxious to become Calcraft's successor, and accordingly he wrote the following letter to Mr. M'Queen, Governor of Dundee Prison:—

"April 22nd, 1873.

SOUTH STREET,

HORNCASTLE,

LINCOLNSHIRE,

ENGLAND.

TO THE GOVERNOR,

COUNTY PRISON,

DUNDEE, SCOTLAND.

SIR,

Pleas i beg your Pardon in riting to you again to Know if you are in the wants of a Man as *Executioner* at Dundee, as i understand that thear is a Prisoner to be Executied on the 29th inst. *Sir, if my service is wanted* on the 29th i have all Things Ready for the Execution if thea are wanted—Sir,



Pleas will you be so Kind as to Look after this Matter for me, the sentence of the Law shall be Caried out in Due Form by me as Executioner. *Pleas will* you be so Kind as to send in a Anser Back by the *Return of Post* i shall Esteem it a great *Favour* For the Time is getting near for the *Execution*. Sir, Pleas i wait for your replie.

Sir, i remain your  
Most Humble Servant,  
WM. MARWOOD,  
South Street,  
Horncastle,  
Lincolnshire,  
England."

To the Governor,  
County Prison,  
Dundee, Scotland.

This extraordinary letter was too late, as Calcraft had already been engaged. The late Bailie Alexander Maxwell, in his unpublished reminiscences, tells the following story regarding Marwood's letter:—

"Soon after the trial the Prison Board met to make the necessary arrangements for the execution. The Town Clerk produced a letter to the meeting from Calcraft of London, offering to do the hanging of the man at a reasonable price. A curious thing happened to the letter. It mysteriously disappeared in the face of the meeting! The Provost handed it to me. I read it, and gave it to the Sheriff, who passed it round the table; but somewhere on its journey it vanished; and, after close search, could not be found. The Clerk was in consternation at the loss of his document, and threatened a legal investigation. No doubt it had been taken, as the spike on which Governor Lumsden's head was believed to have been impaled was taken, to form an interesting item in a curious Chamber of Horrors. The peculator had, however, been afraid to keep it; for after two days it was returned by post anonymously."

It may be added that Calcraft came to Dundee, though his services were not required. In the following year (1874) he was pensioned, and Marwood succeeded to the office, being then 54 years of age. Calcraft died in 1879, and Marwood in 1883. It never was the lot of the latter to visit Dundee in an official capacity.

## XXVIII.

## THE PRINCES STREET TRAGEDY.

ON 24th April, 1889, William Henry Bury, aged 29, was executed at Dundee Prison for the murder of his wife, Ellen Elliot or Bury. This is the latest execution that has taken place in Dundee, and possibly it may be the last. The feeling against exacting the extreme penalty of the law is growing so rapidly that it may be reasonably anticipated that a few years will witness the abolition of capital punishment so long advocated by philanthropists and sociologists. And yet it is precisely because of cases like the tragedy of Princes Street occurring occasionally that one fears that an outbreak of frantic lawlessness would follow the abolition of the extreme penalty.

The story of this crime is sordid enough in itself, with few elements of romance to make it interesting; yet as a study of the vagaries of human wickedness it is not without a certain fascination. The methods which Bury employed in the murder of his victim and the disposal of the remains, have been brought to recollection by recent cases, though the cold-blooded plot which Bury conceived and carried out has not had many parallels.

William Henry Bury was born at Wolverhampton, in November, 1859, being the youngest of a family of three—two boys and a girl. When only about three months old he had the misfortune to lose his father, and a few months later, in May, 1860, his mother became insane, and was confined in Worcester County and City Lunatic Asylum, where she died on 30th March, 1864.

The three helpless orphans were thus left destitute; but a generous Wolverhampton lady took them under her charge, and provided for their education. Bury was therefore better educated than many in his station, though he made little use of his opportunities. At an early age he was employed in a factory at Wolverhampton, and afterwards in a lock-making

establishment; but he was of a restless and unsettled temperament, of an irritating and quarrelsome nature, and lacking in the principles which tend towards success in life.

He gravitated towards East London, a spot which has peculiar attractions for shiftless loafers of his kind. Here he earned a precarious existence as a sawdust and sand merchant, forming ultimately a small connection among the publicans to whom he sold his wares. Latterly he hired a horse and van for this traffic, but most of the money he earned was spent in drink and debauchery. At length, when 28 years of age, he met Ellen Elliot, who became his wife after a short courtship, and who was done to death by him in a dastardly manner.

Ellen Elliot was born at Stratford-le-Bow, East London, on 24th October, 1855, and was thus about four years older than her husband. Of her early life nothing is known. One of her elder sisters, Mrs. Margaret Corney, said that she worked as a waterproof cloakmaker, afterwards in a jute factory, and then she became a domestic servant. In 1882 an aunt died and left £300 to Ellen Elliot, and a similar sum to two other sisters. Ellen's legacy consisted of seven shares in the Union Bank of London, and she lived chiefly upon the dividends derived from this investment.

When she first comes into this tragedy Ellen was acting as a servant in a house of doubtful reputation, kept by Kate Spooner, in Quickett Street, Bromley-le-Bow. She had previously lived alone in private lodgings; and her record was not spotless. It was known, when she resided in Spooner's house, that she was worth some money, and several suitors had proposed marriage to her. William Bury frequented this house, and she preferred him to the others. Shortly after their first meeting she consented to marry him, and introduced him to her sister as her intended husband.

On Easter Monday, 2nd April, 1888, they were married at Bromley Church. The bride realised a portion of her invested money, and a horse and van were bought for Bury's business. By this time, however, he had become a confirmed drunkard, living principally upon the money which she gave him. They took a small house in Swanton Road, Bow, and began house-keeping.

It soon became evident that Bury did not intend to work



for his living as long as his wife's money lasted. In vain did she protest. He emphasised his demands with blows, and even in the public street he assaulted her, making her life miserable. About five months after their marriage it was proposed that they should remove to his native town of Wolverhampton. The change was made, but the strange pair were so ill-received by his relatives that they only remained for a fortnight. Back to East London they went, and took lodgings in Spanby Road, near their former residence.

Meanwhile Mrs. Bury had sold all that remained of her bank shares, and had obtained on 8th June, 1888, the sum of £197 for them, and Bury led an idle life, obtaining sums of money from her by threats or blows. To her sister she confided the story of her misery; but she still adhered to her worthless husband.

On one occasion the landlady of a house in which they lodged was alarmed by Mrs. Bury's screams, and when she entered the bedroom she found Bury kneeling over his wife in bed, holding a knife in his hand, and menacing her life. The threat of bringing the police seemed to daunt him, and he gave up the dangerous weapon. This dispute, like others, had arisen because she had refused to give him money.

By the close of the year 1888 the money had been almost exhausted, though Bury seems not to have believed this. He spoke about going abroad, though he had no definite purpose. On New Year's Day, 1889, Mr. and Mrs. Bury called on Mrs. Corney (her sister), and were then on good terms. Nothing was said about their soon leaving London. It must have been about this time that Bury devised a fiendish plot for getting rid of his wife, probably expecting that at her death he would obtain the money which he supposed she had.

It is likely that he had encountered some of the workers in an East London jute factory, and had heard from them about Dundee, and especially of the firm of Messrs Malcolm, Ogilvie, & Co.—at least, that is the most reasonable way for explaining how he came to know that there was such a firm in Dundee. He determined to induce his wife to accompany him to Dundee, intending to put her out of existence in this remote place, and then make his way back to East London. To accomplish his purpose he forged a document in the following terms:—

January 12, 1889.

We, Messrs. Malcolm, Ogilvy & Co. Ltd., Dundee, do hereby agree to take into our employ w. h. and e. n. Bury, of No. 3 Spanby Road, London, E. for a period of 7 years. Wages for W.H.B. £2 per week; wages for E.B. £1 per week. To enter on duty as soon as Possible. Travelling expenses will Be allowed after one Month from Date of entering employ.

Messrs. Malcolm, Ogilvy & Co.,  
Dundee.

W. H. Bury.

Pro. Tem. Ellen Bury.

Witness—William James Hawkins.

A paper of this kind would not have imposed upon any woman of average intelligence; but Mrs. Bury was quite uneducated, and evidently took the paper as evidence of a genuine agreement. They prepared to transfer themselves to Dundee.

At this time the Burys were lodging with William Smith, bricklayer and builder, 3 Spanby Road, Bow, and were leading a very unhappy life. Bury told Smith, about the middle of January, 1889, that he was going to Australia, and asked him to make a "good strong box that would fit quite close." It was to be 3 feet by 2 feet 6 inches, and 3 feet deep; and he was very particular that it should be well secured with iron bands at the ends. Smith thought it strange that he should want a box like that, and several times asked him for what it was required. Bury replied that he was going to Brisbane, and he thought it would be useful to put things in. He wished to have the address "Bury, Brisbane," stencilled on the box, but afterwards he cancelled this order. Smith made the box, and it played an important part in the tragedy. He believed that the Burys had sailed for Australia, until he saw the carman who had lifted the box, who told him that they had gone to Dundee.

On Saturday, 19th January, 1889, Bury and his wife sailed from London in the Cambria, Mrs. Corney taking leave of them on the wharf. The vessel reached Dundee on Sunday night, but the Burys remained on board till Monday morning. Their

luggage was contained in two boxes, one of these being the mystic packing-case. They took lodgings at 43 Union Street, and remained there for 8 days, apparently on good terms. Mrs. Bury wore some jewellery and a gold watch and chain, and they had money at their command, though they seemed both given to drink. On 29th January they rented a two-roomed house at 113 Princes Street, and removed the two boxes thither.

William Bury had no ostensible occupation. The house was very sparsely furnished, one room being left bare, and the other having only an iron bedstead, and the box and mysterious packing-case. The strange couple kept themselves apart from the neighbours. The entrance to the house was by a gateway through the railings on the Princes Street level, a stair leading downwards to the front door, while the slope of the ground made the back-room above the level of the court. The latter was the room occupied. Here the Burys remained from 29th January till 4th February, keeping themselves aloof.

On Monday, 4th February, about one o'clock, Bury went into a neighbouring shop (125 Princes Street), where he had occasionally bought provisions, and asked the woman there for a piece of cord. She produced a piece from a drawer, and he said "it would do nicely." He was quite sober at the time. From that shop he returned to his house, and his actions there can only be surmised from circumstantial evidence. His wife in the evening of that day was alone in the house with him. Bury had made a slip-knot on the cord, and coming behind her, he struck her a blow on the head which made her partly unconscious, threw the loop over her head, pulled the cord tightly, and strangled her. Death ensued, and he partially stripped her, plunged a knife into the body, and completed his dread purpose. Her clothes had been stained with blood. He kindled a fire in the grate and burned most of the outer garments, and then deliberately set about the realisation of his horrid project. The packing-case was to have been the coffin of the murdered woman.

On the morning of Tuesday, 5th February, Bury began his horrible work—work which recalls the fearful tragedy of Gabrielle Bompard and Tropmann. The lifeless corpse was huddled into the packing-case, the limbs being frightfully



twisted to permit of this arrangement; some of the clothing was thrown over the body, and the spars of the lid were nailed down, save two that, for some inscrutable reason, were left loose. But how was the packing-case and its horrible contents to be got out of the way? Bury must have pondered this question, and found no answer to the problem.

Day after day he lived in that house with his silent victim, going out and coming in as though there was no dread witness of his crime beside him. On the following Sunday, 10th February, he called on an acquaintance, the barman in a public-house which he frequented, and they went for a walk together. He made inquiries about the boats for London, and incidentally referred to the "Jack the Ripper" murders, which were then causing great excitement. But no hint was given to lead his companion to suppose that Bury was himself a murderer.

The tension upon Bury's nerves, however, had been too great, and at seven o'clock at night on this Sunday he went to the Central Police Office in Bell Street, and asked to see the officer on duty. He saw Lieutenant Parr, and to him Bury related a wholly incredible story. He said that on Monday week (4th February) he and his wife had been drinking heavily, and were so overcome that he could not tell when they retired to rest. Next morning, he said, surprised that his wife was not in bed, he looked around and found her lying dead on the floor. Seized with a mad impulse, he lifted a knife that was near and plunged it several times into her body. Then terrified at what he had done, he brought forward the fatal box, and thrust the lifeless corpse within it, putting on the lid.

This startling story led the Lieutenant to think that the man was drunk or mad; but he despatched Lieutenant Lamb to the place, and found every particular as to the position of the body confirmed. Bury was taken into custody on the charge of murder.

On 28th March, 1889, William Henry Bury was brought up for trial at the Dundee Circuit Court, on the charge of murdering his wife. Lord Young was the Judge; Mr. M'Kechnie, Advocate-Depute, was the Prosecutor; and Mr. William Hay, son of the late Town Clerk of Dundee, was the counsel for the prisoner. The trial, which lasted continuously for 13 hours, was one of the longest on record in this district,

and the interest which it excited was intense. Bury pleaded Not Guilty.

The witnesses for the prosecution included Mrs. Corney, sister of the deceased ; some of the keepers of London lodging houses where the Burys had resided ; the contractor who had made the fatal packing-case to Bury's instructions ; and Dr. Templeman and Dr. Stalker, who had made the post-mortem examination. These witnesses testified to the facts upon which the present narrative is founded. The theory of the defence was that Mrs. Bury had used the cord to commit suicide, and that Bury, alarmed at finding the dead body of his wife, had sought to dispose of it without communicating with the police.

The medical theory was that this was a typical case of homicide. Dr. (afterwards Sir Henry) Littlejohn gave clear evidence to show that the marks on the neck of the deceased indicated that the cord had been pulled backwards in a way impossible for a suicide. An attempt was made to contradict the medical evidence, and the theory supported by Dr. Lennox and Dr. Kinnear was that of suicide. But for this disturbing element the case was a very simple one ; but it had so much influence upon the jury that they returned to Court and tendered a verdict of Guilty, with a recommendation to mercy.

When Lord Young found that this recommendation had been prompted by doubts in the minds of the jurymen regarding the medical evidence, he promptly sent them back to reconsider the matter. After a brief consultation the jury returned with a verdict of Guilty as libelled.

The prisoner, who had been quite unmoved and callous throughout the long trial, was then sentenced to be executed "within the prison of Dundee on 24th April next, between the hours of 8 and 10 o'clock forenoon."

This sentence was faithfully carried out. A vast crowd assembled in front of the prison, though nothing could be seen save the black flag that was hoisted to show that the majesty of the law had been vindicated.

The most reasonable explanation of Bury's crime is that a hereditary tendency to insanity, inherited from his mother, had been abnormally developed by alcoholic excess. Of the moral sense he seemed to be wholly devoid. Before quitting this earthly scene for ever he made a full confession of his crime. His body lies buried within the precincts of Dundee Prison.

## XXIX.

## THE PRISONS OF DUNDEE.

**I**T is a curious fact that one of the oldest Royal Charters in the Charter-room of Dundee is the permission granted by Robert I. in 1325, to the burgesses of Dundee to build a Tolbooth with cells for prisoners. This building, of which every trace disappeared centuries ago, stood in the Sea-gait beside the first Market Cross of the burgh. The position of the Cross is indicated by causeway-stones laid cross-wise in the middle of the street, directly in front of Messrs. Watson's bonded stores.

David II., in 1359, gave a further grant of additional ground for the extension of this Tolbooth, as by that time the Castle of Dundee, which had been used for confining prisoners, had been completely swept away. It is likely that this Tolbooth was abandoned when the Market Cross was removed about 1440 to the Market-gait (now High Street), as shortly after that time references are found to the New Tolbooth at the west end of the Market-gait. This building was on the eastern side of Our Lady Wark (known as "Lady Warkstairs"), and probably formed the western side of High Street, facing the Cross. A portion of the structure—much altered, of course—stood on that site until 1797, when it was taken down to make way for the present building, which was named "Camperdown Land," in honour of Admiral Duncan's great victory in that year.

The building shown in the picture was of a later date than the Tolbooth, and was the birthplace of Anne, Duchess of Buccleugh and Monmouth. It was occupied by General Monck as his headquarters in 1651, after the Siege of Dundee. The view shows the building as it was about 90 years ago, ere it had been modernised. The Tolbooth stood immediately to the west of this building, facing "Our Lady's Gait," now the Nethergait.

The New Tolbooth of 1440 was used for the meetings of the





General Monck's Lodging in Dundee, 1651.



Town Council, and in it the Burgh Courts were held, and there were cells for prisoners. About a hundred years after its erection it began to show signs of decay; and when the English attacked Dundee in 1547, the Tolbooth was so seriously injured that it had to be repaired before the Magistrates would trust themselves within its walls. They judged it prudent, therefore, to set about building another Tolbooth.

At that time the Church of St. Clement—the oldest Dundee Church, which had been eclipsed by the splendid Church of St. Mary—was in a ruinous condition; and some years before the English invasion an attempt had been made to roof it with timber and make a temporary jail. Having to flit from the Tolbooth for safety, the Town Council proceeded to finish the New Tolbooth, which was on the site of the present Town House.

The Reformation happened at an opportune time. The Franciscan Monastery, which stood near the site of the “Dundee Advertiser” office, was overthrown by the Protestants; and the Town Council took the stones of the demolished edifice for their Tolbooth. A mob from Dundee had crossed the river and destroyed Lindores Abbey; and the thrifty Dundee Magistrates caused some of the roof timber to be brought to the burgh and used for their Municipal Buildings.

The only clue to the appearance of this Tolbooth is afforded by the view of Dundee drawn by Captain John Slezer in 1672, in which it is shown as a square building with turreted corners. It continued to be used as a Jail and Council House till 1730, when William Adam, the famous architect, was employed to report upon its stability. He declared that the front wall was 15 inches off the plumb, that the roof timbers were barely resting on the walls, and that the condition of the building was a danger to the inhabitants.

Mr. Adam submitted plans for a new Town House and prison, and these were accepted. The estimate for the building was £2852; and it was provided that some of the old stones should be used in the new structure. Thus the present Town House of Dundee, completed in 1732, has incorporated with it some of the stones of the Franciscan Monastery, founded by Devorgilla, mother of King John Balliol, about 1270. The present is thus linked curiously with the remote past.

The upper portion of the Town House was constructed



with cells made with vaulted roofs, and strongly built. They were lighted by the oval windows that look out on the High Street, and on St. Clement's Lane and the Vault. Here for over a century—1732 till 1837—malefactors of all kinds were confined. Some of the iron shackles used are still kept as curiosities; and the iron rods to which violent prisoners were fettered may yet be seen.

Here prisoners of various descriptions, from blood-stained murderers to bankrupt debtors, were kept in prison; and to this cheerless abode might be applied the lines scribbled long ago by a dejected prisoner in the Old Tolbooth of Edinburgh:—

A prison is a house of care,  
A place where none may thrive,  
A touchstone true to try a friend,  
A grave for one alive.  
Sometimes a place of right,  
Sometimes a place of wrong,  
Sometimes a place of rogues and thieves,  
With honest men among.

Though the Town House Jail was so strongly built, it did not always prevent the escape of prisoners. Several curious stories of prison-breaking are recorded in the annals of the Jail. On 27th July, 1809, four prisoners confined together in one of the large western cells determined to make a dash for liberty.

When the jailer was making his last nightly round, they waited in ambush behind the door, and when he entered and cast the light from his lantern around the cell they sprang forth on him, pinned him to the floor, rapidly bound him with the bed sheets, and took all his keys from him. Leaving him bound and gagged in the cell, they rapidly made their way to the main staircase, and thence to the gateway at the Pillars. The keys gave them easy egress, and once in the High Street they were free, and were never recaptured.

An amusing case of prison-breaking occurred in June, 1819. There were two thieves—an old man and a young lad—confined in one of the upper cells. In those days a blind musician had, out of charity, been appointed to the situation of bell-ringer. A room on the prison flat was allotted to him, of which he kept the key. It was customary for this official

to ring a chime on the Town House bell at five o'clock in the morning, to waken drowsy Dundonians for the labours of the day

The two culprits knew this, and they managed to break out of their cell, which adjoined the bellringer's room, and secreted themselves in his place, waiting his arrival. In due time the blind man wandered up the staircase and opened the door, and the prisoners slipped past him and walked leisurely down the stair. The sarcastic journalist of the period remarks—"So much for the saving of candles by having a blind bellman!"

This daring escape soon came to be known among the prisoners, and the fact that the jailer did not live on the premises was a great temptation to venture on prison-breaking. A few weeks afterwards no less than four prisoners regained their liberty early in the morning, and, though a reward of thirty guineas was offered for their capture, they remained at large.

The method adopted of confining four or five prisoners together in one large cell placed a premium upon attempts to escape. One night in October, 1823, the jailer, who lived in Castle Street, had locked up the jail safely, as he thought, and had retired to his rest. The prisoners, after his retirement, made a combined attack upon the door, burst it open, and effected their escape. Some belated wayfarers, seeing the outer door open, ran to arouse the jailer, but he arrived too late—the jail-birds had flown.

Two months afterwards another daring attempt to regain liberty was made, but was unsuccessful. The prisoners in the large eastern cell managed to demolish the inner door, and had made considerable progress in cutting through the wall before their operations were checked by the arrival of the Town Officers, when they were all secured, and left heavily loaded with fetters.

About this time there was an epidemic of lawlessness in Dundee, with which the few constables were quite unable to cope. It became a common thing for those who had to be late on the streets to go armed with loaded pistols. Bands of marauders were organised both in the east end and in the west, who lay in wait for those who had been detained to a late hour by business or festivity; and assault and robbery became so common that the jail was inadequate for the number of prisoners.

In March, 1831, the inhabitants held a public meeting at which it was decided to urge the Magistrates to build a new Bridewell. The local newspapers took up the matter, and ultimately the Police Commissioners were forced to take steps in this direction. They progressed with cautious deliberation, and it was not till August, 1834, that a Jail Bill for Dundee received the Royal Assent.

The plan proposed by Mr. George Angus, Edinburgh—the architect of the Dundee High School—was approved in October, 1834, and the present building in Bell Street was completed in July, 1837, at a cost of £12,000. The site was valued at £14,000 additional.

While the erection of the new Bridewell was in progress, it was found necessary to use one of the large rooms in the Old Steeple as a temporary jail. This place was deemed even safer as a prison than the cells in the Town House.

On 30th May, 1837, one of the prisoners managed to escape from the Town House in a ludicrously simple manner. The regular turnkey was confined to his house through illness, and had sent an inefficient substitute. That easy-going individual left open the door of the cell which communicated with the part reserved for debtors, and one of the dangerous criminals confined in this cell calmly walked out, and was never more heard of.

The Steeple Jail was more secure; but even it was the scene of a daring attempt at prison-breaking. In June, 1837, there were thirteen prisoners confined in the upper prison room in the Steeple. They formed the design of making an incision in the walls, thick and substantial as these are, and of letting themselves down to the ground by a rope formed of fragments of their bed-clothes. The noise attracted the attention of the turnkey, who lived in the neighbourhood. Without attempting to open the door, he went for the jailer. The prisoners, enraged at the detection of their scheme, barricaded the door of the prison. A strong body of police, after a desperate encounter, managed to overpower the convicts, and they were detained and put in irons.

In the following week no fewer than ten prisoners escaped from the Town House Jail. In one of the lower apartments, entering from the piazza, thirteen individuals were confined. In the course of the forenoon they had contrived by some



means or other to get the inner door unlocked, and when the time approached for the jailer to visit them at the dinner hour, they stationed themselves behind the outer door, pushed him aside, and scampered off in all directions. They did not long enjoy their liberty, however, for in the course of the day eight of them were recaptured.

The insufficiency of these two prisons had become such a scandal that it was necessary to expedite the completion of the new Bridewell, so that the jails in the Town House and the Old Steeple might be discontinued. On 6th July, 1837, ninety-two criminals confined in these places were removed to the Bridewell in Bell Street. Between two and three o'clock in the morning the prisoners were marshalled into separate divisions, and transferred in detachments by a party of soldiers from Dudhope Barracks and a posse of policemen to their new quarters.

Since that time prison-breaking in Dundee has been a comparatively rare occurrence. The most remarkable events of this kind were the escapes of Milton and Jenkins in 1869, which is related on another page.

## XXX.

## DARING ESCAPE FROM DUNDEE PRISON.

## A SCOTTISH "MONTE CRISTO."

WHEN Alexandre Dumas the Elder wrote "Monte Cristo" and narrated the marvellous escape of Dantes, he had before him the records of quite a number of remarkable stories of prison-breaking to afford hints for his novel. Foremost among these was the thrilling story of the escape of Casanova from the Piombi prison in Venice, which suggested the method of communicating between cells which Dumas used.

Then there were the surprising adventures of Latude, who escaped from the Bastile by a daring method; and the curious story of Baron von Trenck, who frequently eluded the vigilance of his jailers. By combining the separate features of these stories of real life, Dumas evolved in "Monte Cristo" one of the most fascinating tales in the whole range of fiction.

Fifty-four years ago there occurred in Dundee an instance of prison-breaking which, in some respects, recalls the adventure of Casanova. In this case two fellow-convicts succeeded in making their way to liberty by digging up the floor of the cell in which they were confined, and reaching the outside of the prison-walls by a bold and audacious move. Their after-adventures might have formed the theme of a thrilling novel.

One of the heroes in this story bore the honoured name of John Milton; the other was called David Jenkins. Milton was born in 1845, and at the time of this adventure was 24 years of age, stoutly built, of a dark complexion, and a morose temperament. He began his career of crime early in life, for before he was 19 years old he had been five times convicted of theft, and had been sentenced in 1864 to five years' penal servitude.

He was liberated on a ticket-of-leave, and soon fell into his old courses. On 20th February, 1869, he committed two trifling thefts—two pairs of trousers from the shop of Messrs. Keating, High Street, Dundee, and one pair of trousers from Mr. John Macdonald's shop in the Overgate. He was brought before the Police Court, and remitted to prison. While in jail he attempted to hang himself, and almost succeeded, the chaplain finding him suspended by his cravat. When the articles that had been taken from him were handed back at the Police Office there were amongst them a bottle containing poison, which he no sooner received than he swallowed the contents with the purpose of committing suicide. A doctor was promptly sent for, and an antidote administered.

The Dundee Circuit Court was held on 7th April, 1869, the Judges being Lord Neaves and Lord Jerviswoode. It is interesting to note that among the Advocates present were John Campbell Smith, afterwards Sheriff at Dundee; J. P. B. Robertson, who became Lord Robertson, one of the Lords of Appeal; and D. Gillespie of Monquhany.

John Milton was brought up for trial, and was defended by Mr. Gillespie. He pleaded guilty to reset of theft, but not to theft. The plea was not accepted, and after trial he was found guilty, Lord Jerviswoode, before whom Milton had formerly been tried, pronounced sentence of penal servitude for eight years.

On the following day a certain David Jenkins was charged with theft by garotting. A labourer called John Cook, belonging to Forfar, had visited Dundee at the New Year time, and on 3rd January, 1869, he was (as he said) "a little the worse of drink." When going along South Lindsay Street, about half-past twelve on Sunday morning, two men and a woman came up to him; one of the men came behind and threw his arm around Cook's neck, holding him firmly while the man and woman rifled his pockets, taking his purse with 4s. 6d., a tobacco-box, and a knife. Cook called aloud for the police, and a constable fortunately came up before Jenkins had time to release Cook.

The prisoner pled not guilty, but the jury convicted him, and, as his record showed 13 cases of assault and robbery against him, Lord Neaves sentenced Jenkins to ten years' penal servitude. When he heard the sentence, Jenkins



viciously addressed the Judge, saying—"I hope you will sit there till I come back; that's what I hope!"

There was not much romance about the crime of those two prisoners; indeed, these offences were sordid to the last degree. But the subsequent adventures of the criminals made their names memorable; and they are still remembered by many in Dundee. They were both imprisoned in the Bridewell at Dundee, and as Milton had twice attempted suicide it was thought judicious that he should be confined in the same cell with Jenkins, and his hands were manacled.

Milton was a spiritless, despairing creature, but Jenkins was a bold, powerful fellow, accustomed to the climbing of rigging and scaffolding, and an ideal prison-breaker. His was the brain that conceived a plan of escape, and practically his were the hands that accomplished it.

On the morning of Monday, 19th April, 1869, the announcement was made that Milton and Jenkins had effected their escape from the prison early on Sunday morning. The watchman on going his rounds about half-past one had noticed a hole in the earth of the prison-yard which he had not seen before. He attempted to sound it with a stick. He found that it was of considerable depth, and he communicated his discovery to Mr. M'Queen, the Governor of Dundee Prison. The cells were visited, and No. 11, where Milton and Jenkins had been confined, was found empty.

The method of the escape was apparent. One of the flag-stones forming the floor of the cell had been raised, and immediately under it was an air-flue for ventilation, about 18 inches square. This flue had been constructed when the prison was built, and its outlet to the yard had been covered with strong stanchions; but in course of time it fell into disuse, the covering had been removed and loose earth thrown in to fill up the aperture. The prisoners apparently knew of this flue, and must have painfully worked their way along it till they came to the outer air. How they managed to scale the lofty prison wall and regain their liberty could only be conjectured at the time. One thing was clear—they had escaped beyond immediate capture.

The police began searching inquiries around the whole district, and found traces of Milton at American Muir, near Downfield. A reward of £5 was offered for information that

would lead to their capture, and at length an old schoolfellow of Jenkins betrayed him to the police. On Friday, 23rd April, Jenkins was apprehended in a one-storey house in Annfield Road, Hawkhill, having been skulking in that neighbourhood for four days.

The "blood-money" did little good to the betrayer, for he was mobbed and stoned by the people, and ultimately had to leave Dundee. Jenkins was taken back to prison to serve out his time, and was transferred to various penitentiaries, where he conducted himself so well that he was liberated two years and eight months before the expiry of his term.

John Milton managed to elude his pursuers, and remained at large till 8th March, 1870, when he was captured at Newcastle and brought to Dundee. He had made his way to Downfield and lurked behind the stacks on Lawton Farm for two days with his comrade. On the evening of the second day Milton returned to Dundee, crossed in the ferry-boat to Newport, walked through Fife to Burntisland, reached Granton by the steamer, and was able to take passage to Newcastle, his friends having sent him sufficient money.

At Newcastle he obtained employment on a coasting vessel trading to Spain, intending to remain in that country; but his ignorance of the language and other difficulties soon reduced him to poverty, and he returned to Newcastle in August. From there he removed to South Shields, and here he was seen and recognised by a Dundee man. The police were informed, and they lay in wait for Milton when he went to the shipping office in Newcastle for his pay. But he had a hint of this ambushade, so he entered at once on a schooner leaving the port of South Shields, and sailed again as a "coaster."

In March he returned to Newcastle, and went boldly up to demand the pay that was due him by the Shipping Company. He was detained, and handed over to the police, who brought him back to Dundee just eleven months after he had broken out of prison. He served out his full term of imprisonment, but all trace of him disappeared after his liberation.

When Milton was brought to Dundee he gave an account of the method whereby the escape of the two prisoners was effected. His story is not a very intelligible one. It was not till Jenkins was liberated in 1877 that the full plan was

disclosed by him to the late Mr. James Scrymgeour. The following details are taken from the notes made by Mr. Scrymgeour at the time :—

The first plan devised by Jenkins was to lift one of the flag-stones beside the door of the cell, which was No. 11 on the ground floor of the prison, to scoop out the earth beneath the door, and then to lift from beneath one of the stones in the corridor. He had an idea, at the same time, that by undermining the door it could be slipped off its hinges. Tools for this work were fortunately found. A prisoner sent to spend sixty days in prison in an adjoining cell had tossed a pocket-knife to Jenkins in passing. During the time a turnkey was speaking to Milton, Jenkins was permitted to enter a closet off the corridor for a drink of water. As he was returning he seized the poker, which was lying against the stove, and slipped it down the right leg of his trousers. As the fires were out for the season, the poker was not missed. It had a sharp crook at the flat end, and was admirably suited for his purpose, and became a useful lever for lifting the flag-stone.

The two men proceeded to work at night. They managed to get the stone at the door prized out of its place, and there they found a flue beneath their cell that communicated with the main flue under the corridor which traversed the whole course of the prison. They squeezed themselves through the smaller flue, reached the centre one, raised a stone in the corridor, and thus got outside the cell. Milton ascended the iron stairs, and took up a position at the large windows in the third gallery.

Jenkins saw the way for his own escape by a window over the library, from which he could easily have descended to the prison yard by the corner-stones, that seemed contrived to facilitate prison-breaking. But Milton's hands were manacled, and he could not have climbed the wall; so with noble self-sacrifice Jenkins abandoned his plan rather than leave his comrade. The two prisoners returned to the cell by the way they had come out, carefully replacing the flag-stones in the corridor and the cell floor.

Jenkin's resources were not exhausted, however. He decided to try an escape underground through the main flue, believing that it must have an aperture in the open air. Then began work which recalls the operations of Dantes in the



"Monte Cristo" prison. In the middle of the cell there was a flag-stone measuring 5 feet by 2 feet 6 inches, and 3 inches thick. It was raised by the poker-lever, and during the night the two men cleared away the earth, throwing it into the flue away from the corridor. Every morning the stone had to be replaced, lest the warders should suspect.

Once while working at night they were startled by a late visit from the chaplain (Rev. Mr. Reid). Milton planted himself on the ground with his back to the door, so that it could not be opened till Jenkins had replaced the stone, and then Milton affected moroseness towards the clergyman, and Mr. Reid rapidly went away.

At length, late on the eventful Sunday morning of 18th April, shortly before one o'clock, the two men left their cell and crawled through the narrow flue until they came to the opening, from which they easily removed the soft soil. Jenkins climbed to the roof of the Court House Library by means of the stanchions, which really were equal to a permanent ladder. He walked along the ledge till he came to the prison wall, and easily reached the top of that structure. Making his way to the lofty gate, he found a convenient rope attached to the flag-staff. Taking the rope with him, he again descended to the yard, fastened one end of the rope to Milton's waist, and, holding the other end in his teeth, he climbed once more to the top of the prison wall.

Balancing himself in this dangerous position, Jenkins hauled Milton up to the ledge. When he had his comrade safe on that elevation, Jenkins dropped from the wall to the ground—about 30 feet—and then urged his comrade to do likewise. Milton was not so agile, and the handcuffs impeded him, so he fell in a heap, as if he were dead. His feet were bruised and bleeding, and he believed his legs were broken; but Jenkins found that only the toes were injured.

Taking his comrade on his back, Jenkins made off rapidly to a night-house in East Milne's Wynd, where he was known. Here, with a hatchet, he broke off Milton's manacles, and shortly afterwards he threw them over the wall beside Chalmers & Mather's mill-pond in Douglas Street, where they were ultimately found by the police.

It was plain that the two men could not remain in any of their former haunts without risk of discovery; so they took

some refreshments and set out for the back of the Law. They concealed themselves in a hay-stack on Lawton Farm, and at night they entered Dundee. Milton went for concealment to a house in the "Blue Mountains" at West Port, and Jenkins hid in the deserted dwelling in Annfield Road, where he was afterwards captured. Milton's later adventures have been already detailed, and Jenkins, as stated, served out his time save two years and eight months.

What became of the two men afterwards is not definitely known, though the story was current that Milton did not long survive his liberation at the end of his term of imprisonment. Milton alleged that when they came out of the air-flue they found a hatchet lying in the yard, and Jenkins proposed that they should return, break open some of the cell-doors, release the prisoners, and take the Dundee Prison by storm. They were afraid of the noise, however, and so abandoned this idea. Evidently Jenkins would have been a leading man in the French Revolution of 1789 had he lived in that turbulent period !

## XXXI.

## THE BLACK BAND OF DUNDEE.

**D**UNDONIANS who are privileged to live in these law-abiding times, when every citizen may walk the crowded streets with little fear of personal violence, can have no adequate idea of the dangers braved by their predecessors before the present police system had been developed. One has only to turn to the early numbers of the "Dundee Advertiser" from 1801 till the middle of the last century to notice how crime was rampant and unchecked, and how dangerous it was for the most peaceful citizen to venture forth unarmed after dark. For many years the "Advertiser" strongly advocated the establishment of a regular police force for the protection of the inhabitants; but the old system was maintained, and the Commissioners of Police had not power to establish a force of constables sufficient to preserve good order in the burgh.

The style of "watching and warding," which had been in use from the sixteenth century, and under which every burgess had to take his turn of patrolling a given district, survived in a slightly altered form till the nineteenth century. It was not, indeed, till 1833-4, in the reign of William IV., that the "Act to enable Burghs in Scotland to establish a general System of Police" (known as the Lindsay Act) came into force; and from that time may be dated the beginning of the great improvement in civic rule which we now enjoy. It took considerable time for this reform to show itself; indeed, in Dundee, for some strange reason, several of the Town Councillors persistently opposed the adoption of the Lindsay Act.

Dundee had an unenviable reputation so far as crime was concerned even up till the middle of last century. About from 1830 till 1850 there was no Scottish burgh where robbery and assault were so common; though the more serious crime of murder was comparatively rare. Among the Scottish



Judges the name of Dundee became a byword for all that was objectionable. In his "Circuit Journeys" Lord Cockburn makes a remarkable statement regarding Perth Circuit of April, 1852, which shows how Dundee was regarded:—

"Only one case, but a most brutal one, remained, and in a couple of hours it ended in transportation for life. I need scarcely say that it came from Dundee, certainly now, and for many years past, the most blackguard place in Scotland. Perth and its shire are always remarkably innocent. Nearly the whole guilt at this place proceeds from the two counties of Fife and Forfarshire, and, of course, chiefly from their towns. Of these towns, Kirkcaldy, Cupar, and Montrose seem well-behaved enough. Arbroath is not good; Dunfermline (always meaning the district) very bad; Dundee a sink of atrocity, which no moral flushing seems capable of cleansing. A Dundee criminal, especially if a lady, may be known, without any evidence about character, by the intensity of the crime, the audacious bar air, and the parting curses. What a set of she-devils were before us! Mercy on us! If a tithe of the subterranean execration that they launched against us, after being sentenced, was to be as effective as they wished it, commination never was more cordial."

This remark was made nearly twenty years after the Police Act had been adopted, and when there was a regular Police Force organised in Dundee. How much more aptly could it have been applied to the state of Dundee in the first quarter of last century.

From 1822 till about 1840 there was an association of marauders known as "The Black Band" which kept the whole burgh in terror. The secret history of this Society was never fully discovered. It was supposed that the leading members met in an underground cellar in one of the Overgate slums; that they were sworn to secrecy; and that there they planned assaults, robberies, and house-breakings in various parts of the town, assigning the execution of the crimes to certain of their number.

The general plan adopted was to have a crime committed in the east end one week and in the west end the succeeding

week, so that the criminals might not be easily localised. Week after week there were accounts of their depredations published in the local papers; and though malefactors were occasionally captured who might be members of the Black Band, they were true to their vows, and did not betray their associates. This seems liker a story of the Vehmgericht in Germany, of the mysterious Council of Ten in Venice, of the Carbonari and the Mafia in Italy of more recent times, than of a staid Scottish burgh in the nineteenth century; but it is a sober fact that such an organisation existed in Dundee about a hundred years ago, and exercised a terrorism over the inhabitants only equal to that of the modern Sicilian brigands.

The dispersal of the Black Band is as mysterious as its origination. It is probable, however, that the deeds now to be narrated were perpetrated by the last survivors of the company; and the year 1840 witnessed the extinction of an association that was a menace to peace and security.

In the year 1839 there was a perfect epidemic of lawlessness in Dundee. House-breakings, thefts, assaults, and robberies with violence were of almost daily occurrence. The well-to-do citizens who had occasion to traverse the dimly-lighted streets at night were forced to carry pistols for their own defence; and it was no uncommon event for a merchant to be attacked even in the High Street by disguised and masked ruffians, who insolently demanded his purse or his life.

On 8th November, 1839, two men entered the shop of Mr. Sinclair, ironmonger, Nethergate, and wished to purchase a pair of pistols. Agnes Mills, the girl in charge, was alarmed by the forbidding aspect of one of the men, and she refused to let him have the desired weapons. From this place the two men went to Mr. Watson's shop in the High Street, and there they managed to obtain the firearms. As already explained, it was usual at that time for citizens to carry pistols for self-defence, and thus the men obtained their wish without much difficulty.

That same evening while Andrew Neave, wright, Dundee, was returning homewards along the Coupar Angus Road, about three miles from his house, he was set upon by two men clad in moleskin, who threatened to shoot him if he did not deliver up all the money he had. He resisted, but was

overpowered, and the robbers took from him by violence, five shillings in silver, twopence halfpenny in copper, and half-an-ounce of tobacco. This was poor spoil, and the thieves planned a more daring escapade for the following night.

During the afternoon of Friday these two men were walking through the crowd of farmers congregated in the High Street—that being market day—when they met James Goodlet, a flax-dresser, with whom they were acquainted. The three men loitered about for some time, and noticed the farmers paying and receiving money. One of them remarked, “It’s a confounded pity to see them with so much money, and us with so little.” The other retorted that if the man would hold his tongue he would put them on a plan to get money. They then went down the Vault, and both men urged Goodlet to join them in attacking and robbing the farmers, saying that they would have sticks and pistols, and would kill their victims rather than be detected. This terrified Goodlet, and he refused to go with them. The two men afterwards met another acquaintance, Fergus Bowie, and strove to induce him to accompany them on a robbing expedition, but he also declined to take part in their enterprise.

The 9th of November was a busy night with the two malefactors. Armed with their loaded pistols they went out on the Old Glamis Road, about three miles from Dundee, and concealed themselves behind a hedge to await some unwary traveller. Robert Smith, sawyer, an aged man, was wending homewards to Dundee about eight o’clock, when the two miscreants dashed out upon him. They both gripped him, one on each side, and demanded his money or his life, for, if he made any resistance, he was a dead man. One of them presented a cocked pistol at his head.

Alarmed by this action, Smith took a shilling out of his pocket and gave it to one of them, saying he was a poor man, and that was all the money he had. But the assailant swore that Smith had more money than that, and holding him backward, he rifled Smith’s pockets and found other five shillings. In his waistcoat pocket the robber found two pairs of spectacles. He made the callous remark that he had no use for these, and handed them back contemptuously to Smith. They then made off towards Dundee.

Ere they had gone far they overtook William Sprunt, cloth



lapper, Dundee. One of the robbers seized him, pinioned his arms behind his back, and threatened to shoot him if he did not deliver up all his money. A loaded pistol was held against Sprunt's forehead, one arm was released, and he then took a few shillings out of his pocket and gave them to his captors. Disbelieving Sprunt's statement, one of them thrust his hand into the pocket of Sprunt, and took out the remainder of his money, being fourteen shillings in all. They also took a knife, a pipe-pick, a tobacco pouch, and three halfpence in copper, leaving the luckless cloth lapper "poor indeed." Shortly afterwards old Smith overtook Sprunt, and they condoled together on their misfortune.

The adventures of the night were not yet ended. The spoils that the robbers had obtained were not sufficient to satisfy them. As they came towards Dundee by the Dens Road they overtook Mr. James Lamb, a respected manufacturer (grandfather of the late Mr. A. C. Lamb), who was going to his house in Lamb's Lane, off Bucklemaker Wynd (now Victoria Road). Each seized an arm of their intended victim, and made the customary demand, "Your money or your life," presenting a pistol at his head. Mr. Lamb was wiry and vigorous, and after a brief and noisy struggle, he wrenched himself free from his assailants, and sped towards Lamb's Lane. He had not covered much ground ere he heard a pistol shot, but he did not interrupt his course, and when he reached his house he found that his hat was perforated in two places by bullets which had narrowly missed terminating his career.

This defeat seems to have goaded the two wretches to desperation. They made their way through Dundee and went out the Perth Road, expecting to entrap some late wanderer on this fateful Saturday night. On the lonely part of the road beyond "The Sinderance" they overtook Ogilvie Anderson, wright, who was making his way westward to his home in Longforan. They seized him, rifled his pockets, and found to their chagrin that he had only two halfpennies in copper, a pencil, and an iron punch, of all of which they relieved him. The produce of their robberies and attempted murder that night only amounted to a few coppers over twenty shillings, and for this paltry sum they "had put their craigs in peril."

When these cases of robbery with violence were reported to

the police, extra precautions were taken. Patrols were sent out to watch Dens Road and Downfield district, and the culprits, knowing that these places were under supervision, transferred their sphere of operations. They did nothing from Saturday night till the following Thursday, 14th November. On that evening James Robertson, servant to the miller of Knapp, was returning from Dundee to Knapp, in the Carse of Gowrie, with a cart laden with slates.

When opposite the Market Muir of Longforgan two fellows started forward from the side of the road, and one of them seized the reins of the horse. The other got up on the cart, and, presenting a pistol, demanded the driver's money. He happened to have £50 in his pocket-book, which he had received at Dundee for meal; but he managed to drop the pocket-book, unperceived, among the slates. He then handed over £2 10s. in silver, which he had loose in his pocket. The one thief asked the other if he would take the man's watch; but they both went off without molesting Robertson further, little dreaming of the prize they had lost.

On the following evening (Friday, 18th November) the two confederates again shifted their quarters, taking up their station on the Coupar Angus Road near Birkhill. That evening about seven o'clock Peter Bell, farmer, Cransley, was riding home from Dundee. When about a mile from Lochee, at a lonely part of the road opposite the Camperdown plantation, two men ran towards him, and one seized the bridle of his horse, demanding his money. Mr. Bell refused, and the other villain struck him a severe blow on the head with a "grievous crab-tree cudgel."

The farmer was a very powerful man, and courageous even against odds. He cried out, "You blackguards, what do you mean by that? If I was off my horse I would do for you!" He then leaped to the ground, and though he had nothing in his hand but his whip, he defended himself boldly against the bludgeon of his assailant. But he was forced to let go the bridle, and he drove his opponent backwards. At this moment the other robber drew out a pistol and fired at the farmer. The horse, terrified by the shot, reared up and bolted along the road. Mr. Bell pursued the animal for a short distance, and when he turned round he saw that the two men had fled.

One of Lord Camperdown's gamekeepers, who had heard

the shot, now came up to Mr. Bell, and they made a search for the miscreants, but no trace could be found of them. The horse was returned to him next day. That same night, about eleven o'clock, as John Walker, fish-cadger, Carnoustie, was returning homeward with his horse and cart, he was stopped by the two men in Arbroath Road. They presented pistols at his head, and demanded his money, but he raised an alarm, crying "Murder ! Robbery !" and the men made off. Their three attempts at highway robbery on these two nights had only brought them about thirty-four shillings.

On Thursday, 21st November, Mr. Watson, the ironmonger who had sold the brace of pistols, recognised the two men who had purchased them going along Thorter Row to the Overgate, and pointed them out to the police. They were apprehended, and found to be David Peter, blacksmith, Scouringburn, and John Smith, weaver, Lawson's Close, Overgate. Both were recognised as active Chartists. Peter was an especially repulsive-looking man, but Smith had an innocent air and a plausible manner. They were charged with eight separate offences of highway robbery under aggravating circumstances.

On Friday, 19th February, 1840, they were brought up for trial at Perth Justiciary Court, before Lords Meadowbank, Cockburn, and Medwyn. The prosecutor was the Solicitor-General, Thomas Maitland of Dundrennan (afterwards Lord Dundrennan), and the prisoners were defended by James Moncrieff (afterwards Lord Moncrieff). The trial lasted for seven hours. Both pleaded not guilty at first ; but before the evidence was begun, Smith withdrew his plea and pleaded guilty as art and part.

After witnesses on both sides had been heard, Mr. Moncrieff asked that Peter might be allowed to plead again, when he pleaded guilty. In Scotland the statutory punishment for highway robbery at that time was death ; but the Solicitor-General only asked for an arbitrary punishment, and the prisoners were both sentenced to transportation for life.

Lord Medwyn (who was the father of the late Bishop Forbes) stated that this was the most remarkable and aggravated case of robbery and attempt at robbery he had ever heard of since he sat on the Bench. Certainly, in their own rude and sordid way, these two men were as daring highwaymen as the famous Dick Turpin himself.



## XXXII.

## TYPICAL, SCOTTISH FAIR IN THE OLDEN TIME.

FROM the remote period when burgh life in Scotland first appears, the fairs held in the burghs have been of great importance. These fairs formed the chief occasions upon which the inhabitants had dealings with the outside world. At the weekly markets, when the farmers from the neighbourhood brought their produce into the burgh for sale, a slight charge was made on the seller in the form of market dues, to be paid to the Superior of the burgh, whether he was, as in Glasgow and St. Andrews, the Archbishop; or the Baron, as in Kirriemuir and Greenock; or the Constable, as in Dundee.

These Fairs, which at first were held only once a year, were times of primitive Free Trade. For a day, or a week, according to the terms of the Burgh Charter, it was lawful for strangers and "unfreemen" to enter the burgh, and to sell their "fremit" (foreign) wares to the inhabitants in the Market-gait as freely as though they were born or regularly admitted burgesses. At all other times there was strict Protection extended to the "toun's bairns," for no foreigner dared enter the Market-place to offer his wares, under pain of expulsion and confiscation of his goods.

The Fairs, which were in most burghs arranged to fall on the Patron Saint's Day, in pre-Reformation times were like the Carnival—full and free licence from normal limitations. A quaint old Scottish term was applied to those travelling merchants who went from Fair to Fair. They were known as "dustifuttit men"—wayfarers who could not shake the dust off their feet as a witness against the burghs that would not receive them. As the history of the Fairs in Dundee fairly represents what happened in other burghs, the following notice may be taken as typical:—

St. Clement, the Sailor's Saint, had been the patron-saint of Dundee until the close of the twelfth century, when the miraculous salvation from shipwreck of David, Earl of Huntingdon (brother of King William the Lion) led him to

dedicate the New Church to the Blessed Virgin Mary, who thus became protectress. Consequently the Fair of Dundee was held on Assumption Day of Marymas, 15th August, which was known originally as Our Lady Fair, and is still called, by a curious corruption of terms, "Lady Mary Fair."

About the fourteenth century a second Fair was instituted by the Scrymgeours, Constables of Dundee, on the Nativity of the Virgin, 8th September, old style (now 19th September), and this was known as "the Latter Fair." In documents of the period from 1550 to 1600 these two Fairs are frequently indicated.

Some time in the early eighteenth century an additional Fair was instituted. Its origin is obscure, but as it was held on the spot of ground known as "Stobs Muir," then about a mile and a half outside the burgh boundaries, it came to be known as "Stobs Fair." The name may have been derived from the fact that a wooden (or "stob") cross stood on the site of this muir, on the north-east highway to Dundee; just as in Glasgow the "Stob Cross" stood at the western access to the burgh, and has now given a name to a wide district.

In any case, it is beyond dispute that at the beginning of the nineteenth century Stobs Fair had been so long in existence that it had gained an unenviable notoriety as a place where the riotous conduct of the frequenters recalled the unbridled licence of the Continental Carnival.

Similar references in successive years show that Stobs Fair was anticipated as a time when lawlessness was rampant, and when the Fair was recognised, as in Roman times, as a period when a saturnalia of pent-up energy might have free course.

A tragic occurrence took place at Stobs Fair in July, 1809. At that time, while Press-gangs were forcibly carrying off men to serve in the navy, there were recruiting parties sent to every Fair for the purpose of enlisting the sturdy agriculturists who attended these gatherings, so that the army, which had suffered during the Napoleonic Wars, might be brought up to efficiency. In 1809 the 25th Regiment was in Dudhope Castle, and there was an encounter betwixt the soldiers and the people, which was thus described in the "Dundee Advertiser":

In the evening an affray took place which arose from the breaking of the head of a drum belonging to a recruiting party of the 25th Regiment of Foot. The

Fair is commonly closed with a battle; and it is so generally expected that sticks and bludgeons are prepared either for attack or defence. This trifling dispute about the drum-head was the signal for hostilities, and a battle ensued. Some artillery soldiers took one side, and the 25th Foot the other, and used swords and bayonets, and the populace stones. A young man was struck so violently with a stone that though he had strength to go home, he expired the following morning.

The soldiers did not escape scathless, for two of them were carried from the field in a state of unconsciousness, covered with wounds. In those days the Town Council employed street-porters to assist them in keeping order at the Fair, and one of these "had his skull cleft with a sword." Despite the mischief done on this occasion, no one was apprehended, and the Fair continued to have an evil reputation for lawlessness. In 1814, the "Dundee Advertiser" reports that "This Fair has always concluded with a list of broken heads, and too frequently with a list of killed and wounded."

It is an interesting fact in literary history that Tom Hood, the poet, who sang "The Song of the Shirt," witnessed the affray at Stobs Muir in 1814, and wrote a poetical description of it in his rhymed Guide to Dundee, which is quoted by Alexander Elliot in his volume on "Hood in Scotland." The passage reads thus:

Some large markets for cattle, or Fairs, are held here,  
On a moor near the town, about thrice in the year.  
So I went to the last, found it full, to my thinking,  
Of whiskey and porter, of smoking and drinking.  
But to picture the scene these presented, indeed,  
The bold pencil and touches of Hogarth would need.  
Here you'd p'raps see a man upon quarrelling bent,  
In short serpentine curves, wheeling out of a tent  
(For at least so they call blankets raised upon poles,  
Well enlightened and aired by the numerous holes),  
Or some hobbling old wife, just as drunk as a sow,  
Having spent all the money she got for a cow,  
P'raps some yet unsold, when the market has ceased,  
You may then see a novelty—beast leading beast!

From the quotations already given from the local newspaper, it is evident that Hood's description was not exaggerated. No



reform was visible for many years afterwards. In 1823 the "Dundee Advertiser" records that "the Fair sustains its ancient character for drinking, rioting, and mischief. Twelve constables were despatched by the Magistrates, but they had little effect in restraining the turbulent."

In 1824 a melancholy tragedy took place at Stobs Muir, the result of the riotous conduct of some men attending the Fair. About nine o'clock at night nine young men, masons, who had been working at Duntrune, came by appointment to Stobs Fair to meet Mr. Scott, their employer, so that they might receive their wages. After the money was paid, two of the men convoyed Mr. Scott off the Fair ground.

The other seven went towards the Stobs Toll-house, which, in accordance with custom, was "licensed to retail beer, spirits, and ale," intending to have some refreshment and to wait for their two comrades. They were refused admittance to the Toll-house, and were turning away, when a band of fourteen infuriated men rushed out of the house, armed with clubs and a hatchet, and set upon the seven poor masons. John Allan, one of these unoffending men, was felled to the earth by repeated blows, and killed on the spot. His brother ran forward to raise the lifeless body, but he also was knocked down, and though he twice arose, he was laid prostrate and bleeding. His companions were all more or less injured.

The assailants, having found that they had attacked the wrong persons, ran off to another part of Stobs Muir in search of the object of their vengeance. Here they attacked a ploughman with bludgeons, and injured him so severely that his life was despaired of, though ultimately he recovered. Turning towards the bleachfield, these ruffians set upon one of the men employed there, and rendered him unconscious.

The miscreants then dispersed, and though diligent search was made for them during the succeeding six weeks, they were never discovered. The murdered John Allan was buried in the Howff, his wounded brother walking between two supporters in the procession; and it is recorded that "the stairs and windows were lined with sympathetic spectators as the funeral moved through the streets to the burying-ground."

This sad catastrophe seems to have brought about a complete reformation in the conduct of those attending Stobs Fair.

## XXXIII.

## THE EXECUTION OF SIR WILLIAM WALLACE.

**A**S a perfervid Scotsman, proud of his country, I never visit London without making a pilgrimage to one spot which is to me sacred, though few of the Scottish dwellers in the metropolis know aught about it. That spot is West Smithfield. I do not go there to view the vast carcasses of "dead meat" which are hung in the Market in long, horrific avenues that would make the countenance of a vegetarian grow pale-green with disgust and despair. Neither am I drawn to the place by the sad attraction of the philanthropic energy of St. Bartholomew's Hospital—an institution which gives tangible proof that money-getting is not "the chief end of man." Even the quaint charm of St. Bartholomew's Church, with its odour of days departed, is not the magnet which draws me to this somewhat sordid locality, except it be that it indirectly appeals to me as the only building in existence that witnessed the tragic event to which I am now to refer. I visit West Smithfield with reverent awe, because nearly six hundred and twenty years ago the young patriot-hero, Sir William Wallace, there endured a shameful death for the sake of his country, and ended a brief life of strenuous patriotism amid the jeers of those who, but for his bonds, would not have dared to insult him.

Wallace Monuments in various parts of Scotland testify to the affection with which Scotsmen mark the scenes of his triumphs in war. To me this grim old Church of St. Bartholomew, steadfast amid the changes of fluctuating time, is venerable as the only remaining link with a long-vanished period, the only structure now extant towards which the dying eyes of the murdered patriot would turn in his last agony. The green fields and the elm trees which flourished on the site over six centuries ago, where the mean streets and sordid environment of West Smithfield now extend, form to my imagination the Calvary of Scottish Independence. The blood of the youthful hero, cruelly shed there at that distant



Church of St. Bartholomew, Smithfield, London.





time, was potent enough to cement together a nation ever avid of Liberty—a nation that has accomplished much in the regeneration of freedom and the progress of humanity.

Every Scottish schoolboy knows the romantic story of Sir William Wallace. His struggle for national liberty began at Dundee, when, as a young student in the School of the Franciscan Monastery, he resented the over-bearing tyranny of Selbie, the son of the English Governor, and slew the presumptuous youth in the Market-gait of Dundee. That sword-stroke, delivered in the heat of indignant passion, was the first blow for Scottish Independence. Pursued as a felon and murderer, Wallace was forced to hide himself in “fremit and dern places of the yirth” until he had gathered around him a band of like-minded patriots. Then he began his long struggle against the English usurper, a variegated record of defeat and victory which exasperated Edward I. more than any of his foreign campaigns. At length the hero was captured treacherously at Robroyston (“Rob Raa’s Toun,” as it is called in old records), and was delivered by Sir John Menteith to the English soldiers, that he might be carried a captive to England, and there made a victim to appease the wrath of the fiery Plantagenet King.

It is briefly recorded in history that Wallace was tried at Westminster, sentenced to death, executed as a traitor at the Elms, West Smithfield, his head placed on London Bridge, and his mutilated body sent to four parts of the two Kingdoms. From a contemporary document I am able to give some particulars of this tragedy, which formed an epoch in Scottish history. The spelling has been modernised:—

“1305. On the morning of the twenty-second of August there was brought to London, Sir William Wallace, Knight, a native of Scotland, who had been in arms against our Sovereign Lord, King Edward, and who was bound on horseback, and set in the midst of a troop of the King’s Guards. Now the rumour of the coming of this great malefactor, this destroyer of Churches and despoiler of the lieges, had got abroad in London, and when the soldiers did come to Watling Street they were met by a great concourse of men and women, who rejoiced at the capture of Wallace, and did revile and spit upon him to show their devotion to the Church, whose treasures and precious relics he had ravaged and destroyed.

“He was taken in the first place to the house of William de Leyre, a loyal citizen of London, whose house stands in the Ropery (Fenchurch Street), and there he and his guard did remain for a space. And when evening had come the traitor was taken manacled to the Tower of London, where he was put in strait prison for the night. And on the next day, Monday, being the Vigils of St. Bartholomew, Wallace was again set on horseback, bound, and carried captive to Westminster to abide his trial. And there was in the company, John de Seagrave and Galfrid de Seagrave, Knights; John le Blound, Mayor of London; and the Sheriffs and Aldermen of the Common Council of the City.

“Many of the citizens and their wives and daughters followed the convoy, because it was told unto them that this Wallace had not only pillaged the goods of loyal men in the North, but had also most unmanly treated their womenkind in most brutal fashion. So they railed at him because of his unchristian behaviour. And some of the leading citizens joined the throng on horseback, so that the cavalcade extended for a considerable space.

“And when they had passed by the Fleet River through Temple Bar, and by way of the Strand had reached unto Westminster, the Guards halted there, and took Wallace, bound with gyves on his wrists and fetters on his ancles, within the Great Hall, and placed him seated upon a stone bench on the south wall thereof. And because that he had boastfully bragged that he should one day be crowned in Westminster Hall despite King Edward, certain of the soldiers did plait a crown of laurel leaves and did place it on his head in derision of his sovereignty. And they mocked and derided him, bidding him to show his power by releasing himself from his bonds, but he answered them not. Then was he taken before the Judges to whom his trial had been committed. They were Sir John de Seagrave, Sir Peter Maluree, Ralph of Sandwich, John of Bacnelle, and John le Blound, Mayor of London. And the King’s Writ was read declaring that Wallace was a traitor to the King; that he had committed sacrilege in the burning and despoiling of Churches and relics; and that he had raised war against the King’s Majesty, and was guilty of the murder of the King’s loyal subjects, of fire-raising, depredations, and theft and other felonies worthy



of death. Particularly, that he assaulted and slew Heselrigge, the King's Sheriff of Lanarkshire, while discharging his lawful duty.

"Thereupon Wallace replied that not being a subject of King Edward, he could not be accused by him of treason; and that, as for the other crimes charged against him, even if these deeds had been done, they were committed outwith the King's jurisdiction. But the Judges, having considered this defence, with one voice declared him to be guilty, and did sentence him accordingly. And the punishment decreed was that he should be taken from Westminster to the Tower of London, thus traversing the City, and thence to the Elms at Smithfield, there to be hanged, drawn, and quartered; and further, because he was an outlaw and rebel, the halter whereby he was hung should be cut while he was yet alive, and his head then struck off with a sword. And moreover, because of the vast injury he had done to God and the Church in manifold burning of Churches and destroying of relics of the Saints, and despoiling the Treasuries, the heart, liver, lungs, and inwards of the said William Wallace, as the parts whereout such perverse imaginations had proceeded, should be cast into a fire and burned. And because of the sedition and treason of the said William, not only to the King but also to the whole English and Scottish people, his body should be cut and divided into four quarters, the head to be placed on London Bridge in sight of those passing both by land and water, and one quarter suspended on a gibbet at Newcastle-on-Tyne, another quarter at Berwick-on-Tweed, a third quarter at Stirling, and a fourth quarter at St. John's Town (Perth), for the dread and chastisement of all that pass by and behold him.

"And when the Judges had pronounced the Decree the soldiers took Wallace from Westminster Hall, and did bind him with stout cords, whereto were harnessed four horses. And thus they dragged him by the banks of the Thames River to the Tower of London, followed by a great multitude who jeered at him. And when they came to the Tower they turned the horses northwards past the Convent of the Poor Clares, by the way called The Minories, and thus by Aldgate to The Elms, which was the place appointed for execution. And all was done there as had been decreed and ordained

by the Judges, to the honour of our Lord the King, and to the effrayment of all rebellious and sacrilegious subjects."

Thus was accomplished the martyrdom of that great Secular Saint of Scotland, Sir William Wallace. However one may admire "the greatest of the Plantagenet Kings," unquestionably the judicial murder of Wallace remains as a "blot on his 'scutcheon." Wallace was but a child of two years of age when Edward I. ascended the throne, and he was only 35 years old when the Warrior-King of England executed him ignominiously, acknowledging that Wallace was his most dreaded enemy. The exact spot of the execution, so far as can be gathered from contemporary references, was the mean street now called Cow-Cross Street, which runs between Farringdon Road and St. John's Street, on the north-west side of Smithfield. Thither let every patriotic Scotsman wend who would see for himself the veritable birthplace of Scottish Independence.









